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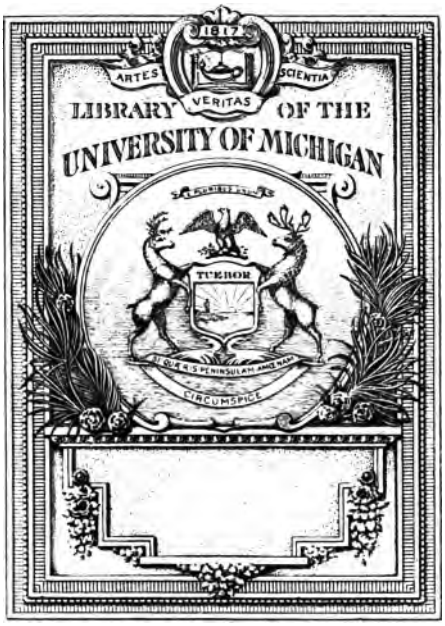
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"THE MAN PATERSON."

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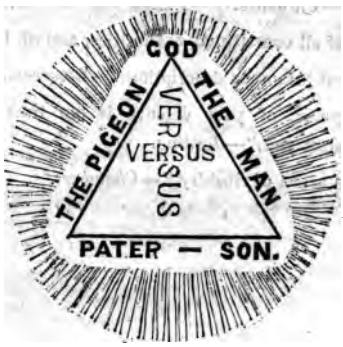
PATERSON.

THE EXTRAORDINARY

BOW-STREET POLICE REPORT.



O Lord God, to whom vengeance belongeth; O God to whom vengeance belongeth, *Shew Thyself.*—Psalm viii. v. 1.

Great men may jest at Saints, 'tis wit in them,
But in the less, foul *Profanation.*—Shakspere.

Woe unto them that decree unrighteous devices, and write grievousness which they have prescribed; to turn away the needy from judgment, and to take away the right from the poor."—Isaiah x. v. 1, 2.

I repeat, only men of strong minds and good hearts can be *Atheists.*
Coleridge.

Sic volo, sic jubeo, stat pro ratione voluntas.

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FAVOURABLE NOTICES.

"Greatest blasphemy ever uttered."—*Times.*

"An abomination."—*Chronicle.*

"A tissue of abuse of all constituted authorities, and of blasphemy."—*John Bull.*

"A tirade of the most infamous description."—*Observer.*

"The dreadful language of your defence is ten times more awful than the blasphemy charged against you."—*Jardine.*

"The court made an arena of ribaldry."—*Chambers.*

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PREFACE.

THE Public ought to be made aware that the aim of the parties carrying on the *Oracle of Reason*, and establishing "a manufactory of Atheism," as some have been pleased to term it, was not only to disseminate their principles, but to establish the right of private judgment; in the only sense in which it has existence, unlimited freedom of expression. In all cases between man and man we contend for *this general rule without exception*. We demand it, as we grant it, in writing, reading, or speaking, in all the varieties of language, the strongest or the mildest, which makes man intelligible and different from the brute. We ask for ourselves as we freely give to others, every form, fashion, method, opportunity, and facility of statement and reply. What is conceded to freedom of expression in mention of facts, in the discussion of politics, on subjects of philosophy, even in orthodox controversy, we demand for the airy nothings of the mind, which do not appeal to the senses, which are not the affairs of man or known living beings, which have nothing to show in the heavens above or the earth beneath; and which have nothing yet settled in ideas or words. Much more license do we demand for the supernatural than the natural, for the superhuman than the human, for the irreligious than the religious. We demand greater indulgence for theological speculations more fleeting than the clouds, than for opinions social, moral, and political, which we all believe affect the permanent interests of humanity, the progress of the species, and the eternity of the universe; for what merely fills up the passing period of a man's life time, than for what in comparison occupies all time.

Surely greater latitude should be allowed in adopting and discarding the creations of fancy than the realities which form the intercourse of society and connect man with the rest of matter. Surely mythology is more a subject of unqualified discussion than history, poetry than prose, fiction than reason, mysteries than facts, and the secrets more than the unreserved communications of nature. "The ills we know not of," the happiness we cannot conceive, are surely to be spoken of with more impunity than "the ills we have to bear," the enjoyments we have to create.

The indistinct and isolated cries of revelation should be subjected to more searching and uncompromising inquiry than the loud and concurrent voice of nature; the invisible light and individual witnesses than the evidence of things seen and the universal testimony of mankind.

Thought should be free as air, since, like the wind, nature has fixed no bound to its exercise; its expression should come and go where it listeth; we should no more endeavour to silence thought than to suppress the elements, as the two objects, if attempted, are alike impossible of attainment.

his anxiety for refreshment, that the man Paterson had been without food from eleven in the morning, and in that situation was left till eleven at night—standing in the dock from four o'clock; whilst Jardine and Chambers ordered in a bottle of wine and sandwiches. These two Greedys were able to restrain their feelings—until their stomachs were filled, then they would no longer bear the blasphemy, and full of wine and meat, would make sport and quick work of their victim.

Whether the conscience of Jardine was most pricked, and therefore, like Festus with Paul, he wished to put off the hearing of the third case to another day, or whether tea and supper were uppermost—the fate of the dinner being irrevocably sealed—we leave to the searcher of hearts and mover of bowels. "I am desirous to restrain my feelings," says Jardine, after having heard a man defend his liberty at stake, and his right to the expression of his opinions; after having abused and wronged him, and deprived him of every means of defence, "that I may without loss of time sentence him to the treatment of a felon." We will try and restrain our feelings, though our most esteemed friends have had to bear long imprisonments, pay heavy fines, and in the last case of Mr. Thomas Paterson, had property destroyed, life threatened, justice denied, mockery, insult, cruelty, and injustice dealt out.

While restraining our feelings, however, *we* do not forget to render our assistance. We beg no boon from the public. From all who profess to understand the principle of *Free Discussion* on speculative subjects, without restriction, limitation, or dictation, we demand co-operation, and expect that they will open their purses.

THE EDITORS.

PATERSON VINDICATED.

[*The following letter was received from Mr. Holyoake just at the moment of going to press:*]

The rancour of politics is bad enough, but the rancour of religion is worse. Politicians professedly appeal to reason, and though they always hold that their opponents are wrong, they often credit them with good intentions; but religionists chiefly appeal to faith, and own no virtue where they find heterodoxy. The man who believes less than themselves, is considered not only to be mistaken, but to be a monster. With them the Atheist is always wicked, and without enquiry they paint him in that character. This has been done to Mr. Paterson. The religious journals have been violent, abusive and bitter, without measure and without mercy—from no other provocation than that Mr. Paterson differed from them, and, from no other reason than that he did, what they did, expressed his opinions.

The *Times* tells us "that Mr. Jardine was exceedingly glad that Paterson's windows were broken, and that there was a fair prospect of his bones sharing the same fate." A correspondent in the *Morning Herald* asks "*why* not crush Paterson with penalties?" and the editor echoes the query, "*why* not crush the *reptile*." The *Standard* calls him a "ruffian;" the *Past* calls him "infamous;" and the *Age* a "wretch." The epithets of "villain" and "miscreant," are also unsparingly applied, and unequivocal recommendations are given to place him without the pale of the law, to treat him with "harshness" and to refuse him redress.

Notwithstanding this somewhat unattractive description of an old acquaintance, I have pleasure and pride in calling Paterson my friend, and, in saying that I know few men more disinterested, more estimable or more honourable. Those who know him, know him to be incapable of performing an unjust action—knowing it to be unjust. Paterson, like other people, may do improper things, but his intentions are of the best kind—his opposition to religion arises only from a well grounded and conscientious conviction that its influence is injurious. He resembles Luther and

Knox, he opposes with manly honesty and uncompromising steadiness, popular and venerated opinions. He differs from them in this particular—they sought to reform religion. Paterson seeks to destroy it. They thought the religion of their day mixed up with abuse, Paterson thinks the religion of his day to be *all* abuse—an abuse of reason—an abuse of truth—an abuse of morality. The Calvinist differs from the Churchman, and the methodist differs from both, and the conduct of Calvinist and Methodist is consistent with their dissent from the church. Here is the key to Paterson's conduct, he differs and dissents from all three, and he conscientiously and consistently acts out that difference. Were christians but as just as they pretend to be, they would concede Paterson's equal right to express *his* opinions, and not imprison him for taking a liberty, which is every day taken by themselves.

I do not contend, and it is not necessary to contend here, that Paterson is right or that he is wrong; but this I do contend, that Paterson is conscientious, and this the public ought to respect—that Paterson means well in his way, and this the public ought to regard. For good intentions, although they may not disarm opposition, ought always to disarm ill feelings.

I remember that in Sheffield when the lecture entitled, the "Spirit of Bonner," was announced for delivery, it was announced also, that the Jew book article, for which Southwell was just then thrown into prison, should be read for an evening lesson. The magistrates ordered the bills to be taken from the walls, threatened indictments, and sent policemen to report proceedings. On the night of the lecture, every man who usually sat on the rostrum, deserted his post through fear of consequences Seeing this, Mr. Paterson walked up and said, "Mr. Holyoake, I will sit upon the rostrum to-night and if you will permit me, I will read the Jew book article. Remember, you are just pledged to conduct the *Oracle* while Southwell is in prison, and if you are taken it may interfere with that. I am of less consequence than you, and less useful, and there are fewer to care for my absence than for yours. Therefore, let me read it." He did so, but as he was not the person fixed upon, no proceedings were taken against him. Still the disregard of self, the generous concern for his friend, and his readiness to be of service in danger, remain the same, and are above comment. I could give other anecdotes of a similar kind.

Paterson is a man who will perform a noble act when no one looks on, and will find satisfaction in it, though no one should applaud. He has no ambition but to be useful, and no desire but to save from danger those whom he thinks more useful than himself.

In private life, Paterson is one of the most sensitive of men. An unkind word, or a cold look from a friend, will wither him, while the affection of a child will fill him with joy. But in the public support of what he deems useful and just, no dangers will intimidate, and I believe no severity will subdue him.

The object of these remarks is to give the public correcter notions of Mr. Paterson's real motives, feelings, and character, than can be obtained from the newspaper press. For in the excitement of bigot rage, principle is overlooked, right is disregarded, and motives forgotten. It is unfortunate that orthodoxy seldom stops to discriminate, but cries down all who differ. But he who battles for religion, should remember that he will do his cause little honour while he forgets to be just.

G. J. H.

THE TRIAL

OF

THOMAS PATERSON,

FOR BLASPHEMY,

Before the High Court of Justiciary, Edinburgh,

WITH

THE WHOLE OF HIS BOLD AND EFFECTIVE DEFENCE.

ALSO,

THE TRIALS

OF

THOMAS FINLAY AND MISS MATILDA ROALFE

(FOR BLASPHEMY),

In the Sheriffs' Court.

WITH NOTES AND A SPECIAL DISSERTATION ON BLASPHEMY PROSECUTIONS IN GENERAL,

BY THE SECRETARY OF THE "ANTI-PERSECUTION UNION."

LONDON:

PUBLISHED FOR THE ANTI-PERSECUTION UNION BY

H. HETHERINGTON, 40, HOLYWELL STREET, STRAND,

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1844.

A DISSERTATION

ON

BLASPHEMY PROSECUTIONS,

My purpose is to offer a few observations touching Prosecutions for Blasphemy, which may induce some fresh exertions for their discontinuance. I undertake no work of supererogation, for the resistance offered to these proceedings bears but a feeble proportion to their atrocity. If but the tenth part of British society were sensible of their injustice, they would be excited to a degree of vigorous opposition, before which these disgraceful and injurious practices would immediately fall.

Want of wisdom in argument, is perhaps nowhere so conspicuous, as in the disproportion between what men set forth as desirable, and what they afterwards prove to be practicable. Many persons demand nothing less than the free expression of *all* opinions, regardless of the great practical experience requisite to treat so large a question. I confine myself to one branch—the free expression of *Theological* opinions, that I may not startle the reader by the magnitude of my demands, nor fail to satisfy him with the fullness of my reasonings. Upon no question has every one so great right to pronounce an opinion, as on this—seeing that theology is made every man's business, from the cradle to the tomb ; and it is said to concern him both in this world and in the next.

Religion is the great foe of liberty : the man who believes in a future life, and that its happiness depends on a particular faith, is necessarily and consistently a persecutor. I mention this, first, because it would be hopeless to attempt to shake the practices of these persons, without at the same time shaking their faith, and next, that I may do something to convince men what dangerous principles of reasoning religion introduces. Mr. John Taylor in his recent " Prize Essay on Church Establishments," remarks that, the ill effects of persecution in this life, shrink into nothing when compared with the ill effects of a false creed in the world to come. The temporal sufferings of a single generation, are indeed a trifling price for the spiritual welfare of many generations thro' all eternity.—Whoever, therefore holds the doctrine of exclusive salvation in respect of any given creed, shews no more humanity in sparing dissenters from that creed, than he would in sparing robbers or murderers." It is almost unnecessary to add that every person at all conversant with blasphemy prosecutions has often experienced the truth of this.

The Bible is too complaisant an authority to be referred to in behalf of humanity and reason. If we read the Rev. J. Gordon, the Unitarian, we find

in his "*Protestantism*," "did Paul, when he had to write of the contentions among Christian brethren—contentions which were directed against his own ministry—did he endeavour to put them down by apostolic authority? Nay, he humbled the more to give greater effect to the argument by which he persuaded, and the pathos with which he subdued his antagonists, expressly declaring that he had no dominion over their faith."

Which example would have great weight, if Paul had never contradicted what is here affirmed of him, but Paley, the Churchman, assures us that "the church has only to pronounce any of its opponents "vain talkers," which is done every day and something more—"and St. Paul himself commands us to stop their mouths." The Bible is a fine book for feeding controversy, but a bad authority in matters of reason. The good and the bad, the enlightened view, and the illiberal, are equally justified on its facile pages.

Two classes of persons rank themselves as the supporters of prosecutions for blasphemy—those who think blasphemy wicked, and those who only esteem it dangerous. One party act from motives of religion, the other from motives of expediency. But though the expediency party countenance prosecutions when set on foot, they have never been so convinced of their utility, as to set them on foot themselves. They have rather tolerated, than originated them. The religious have always commenced them, bigots have always been their direct supporters. Where men of calculation and reason abound, as in London, prosecutions for blasphemy are very rare, but where religion is dominant, as in our provincial towns, and in Scotland, they rage with the greatest fury. The following few reflections, if addressed to the religious, might influence them more than our usual course of argument.

There is happily in the constitution of human nature a sense of justice, which is never entirely obliterated. All men perceive, more or less, that the well-being of society depends on it. So extensive is its influence, that the most callous of mankind occasionally own its power. A few plain instances, therefore, in which prosecutions for blasphemy violate received maxims of justice, may not be thrown away.

The Christian mainly objects to the publication of Atheism, on the grounds that it is both injurious and offensive. It may be true, that the Atheist's opinions ought not to be published, because Christians consider them injurious, but then on the principle of fairness, the Christian ought not to publish his opinions if the Atheist deems *them* injurious. If equal justice is to prevail, and the Atheist is denied the right of freedom of expression, the Christian must be denied that right also. Undoubtedly the sentiments of the Atheist are offensive to Christian taste, but the sentiments of Christians are not less offensive to Atheist taste. If then on this ground, the Atheist interferes not with Christian liberty, common justice again declares that the Christian should not interfere with Atheist liberty. Therefore, whether Atheistical opinions are right or wrong, whether offensive or not, they must be allowed freedom of expression, or liberty of publication must be denied to Christian sentiments.

These are considerations which all just men admit, they involve principles which were implanted in the soil of humanity before it felt the blighting influence of creeds, and which will survive in better natures as the guide marks of life, when religion is no more.

Men of all creeds have ever admitted that he who is held responsible, ought to be free. The slave, the minor, the controlled, are by common consent absolved from amenability, because deprived of freedom. No man can be justly considered responsible for any opinions he may hold, unless he is left perfectly free with regard to them.

By free discussion only can truth be established—in the concurrent or dissentient opinions of mankind is found the best test of the correctness or incorrectness of opinions, and those to whom free expression is denied, are deprived of these invaluable aids in the discovery of truth. If Atheists are to be considered responsible to society and to heaven for their opinions, it is of all things the most unjust that they should be denied freedom of expression. It violates the great principle of justice upon which mankind in all ages have been agreed. To stigmatise Christians as unjust, may be severity, but can lovers of justice act as they do? May not that religion be justly and successfully called in question which is in harmony with prosecutions for blasphemy.

Those who unfortunately care little for justice, provided their religious views obtain currency, or think that the restraints of religion must be preserved at any expense, it may be useful to remind, that these ends are effectually defeated by prosecutions for blasphemy. The responsibility of man to the supposed author of religion, is the vital principle of christianity, and it is also the principle which constitutes the "necessary restraint" so much lauded by those who are only concerned for the expediency of religion. But since those feel no responsibility who are not free to act, the Atheist who is deprived of the privileges of free expression, is left irresponsible. Thus those who prosecute for blasphemy, whether actuated by a conviction of religious truth, or its utility, destroy the very principle upon which its vitality and supposed utility depend.

It will be no valid objection to this reasoning to urge that much of what is prosecuted as blasphemy, can scarcely be considered as belonging to the legitimate province of free discussion. If exclusive selections are to be made of what is to be prohibited, the same rule will apply to much that Christians deem sacred. There is no security for Christians, but in leaving all opinions free.

Some will offer the idle objections that blasphemy prosecutions are not chargeable on Christians—that they originate with men ignorant of christianity's principles. To this I make but one answer.—There *are* Christians who understand their own principles—they boast their numbers and their power; let them exercise their influence! Let them put an end to these proceedings! They know that they are conducted in their name and avowedly on their behalf. If they approve them not, they have the power to prevent them, and if they do not, the world will understand the reason why.

That the legal interferences with freedom of expression will long resist the efforts of argument, there is too much to fear. But the consolation remains to the friends of Atheism—that while Christians continue to act with inconsistency, they save their opponents the trouble of bringing them into contempt. A religion which exhibits itself before men, at war with the fairest principles of human action, at variance with those rules of equity by which the order and happiness of society is promoted, cannot fail to awaken the suspicion of the thinking, and ensure to itself the opposition of all wise men.

The vilest part of prosecutions for blasphemy is, that they prevent the spread of useful opinions as often as they prevent the spread of bad ones. The best views, and the best men have been among those interdicted by blasphemy laws. The facility for putting down thought by power is immense. Religion is a wide-spread and facile engine of oppression. A religious jury can be found in every assize town, who will declare it blasphemous to love a flower if somebody with a wig on told them so.* Persecution seldom spreads opinions; when it does so, it depends on the power of the party persecuted, and the bravery of the men who resist. Every man is not a Carlile. In every prosecution, for one man who offers successful opposition, a hundred are intimidated. We have cases in which importance has been given to sentiments, by prosecution, but history is silent concerning those views which have been hunted into obscurity, and if not annihilated, have been retarded for ages. It is undoubtedly mean in an attorney-general to pursue opinions with the law's power, instead of leaving them to reason's influence. It is below the dignity of human nature so to act—it is unwise—it is unjust—it is all these, and more; but it cannot be denied that it is too often successful, and it is on this account that I ground my strongest opposition to it. If penalties and imprisonment were ineffectual oppositions—if they uniformly promoted what they are intended to crush, why there would be little occasion for regret. It is because truth *is* retarded, because mean men *can* say to thought, "thus far shalt thou go and no farther," because the bright fruition of intellect is often withered by the ban, that men should rise up and terminate these fatal and dangerous proceedings.

This view of the effects of persecution is not the common one, nor the one I formerly expressed, but it has long appeared to me as inconsistent to endeavour by Anti-Persecution Unions to put down persecution for opinions, if opinions were thereby spread. It would seem more wise to leave persecution alone, since it did such prime service to truth. Much experience has convinced me that persecution is to be deprecated, both for its own sake and for the influence it exercises. Christians may rejoice in this confession, if they can rejoice in the injustice which I have pointed out as consequent on their conduct—if they can forget the infamy which they earn to themselves, and the defeat with which resolute opposition has often covered them. But they may do well to remember that in putting down opinion by prosecutions, they are, if men are ever awakened to the iniquity of the proceeding, putting down themselves.

I do not conceal from myself what Lord Brougham has well expressed, that "persecution has often spread that which nothing but persecution could spread." This is true, as I have before admitted, when the endurance of a Carlile, or a Paterson, has been opposed to it. Dr. Johnson is reported to have said to Mayo, a dissenting minister, "the only method by which religious truth can be established is by martyrdom. The magistrate has a right to enforce what he thinks; and he who is conscious of the truth has a right to suffer. I am afraid there is no other way of ascertaining the truth, but by persecution on the one hand, and enduring

* Not a very long time ago a Mormon Preacher was apprehended in Cheltenham, and committed to take his trial for blasphemy. The charge against him was that he had said that "*the elements of Euclid were as true as the Bible.*" Common sense, with great difficulty, prevailed, and the man was liberated.

it on the other." No man denies the magistrate's power, but all may justly question the propriety of its exercise in matters of opinion. The best test of truth is discussion, not persecution, but when persecution is employed to suppress opinion, the best friend of truth is he who bravely endures it. There is no other mode of saving it, and, by determination and persistency, truth may proudly triumph over its meanest foes. Though truth is not immortal, it is the best of blessings while it lives, and a Paterson, a Finlay, and a Roalfe, who struggle in the hope that some new truth may have a voice in the world, deserve the gratitude, in proportion that the persecutor deserves the execration, of mankind.

If I appear to estimate persecution's influence differently from Mr. Paterson in the following defence, if I differ somewhat from my friends generally on this point we all agree in the determination to put it down. If I think it more fatal than they, my opposition to it is not less ardent.

In the view I have taken, I think there is a new encouragement to the friends of liberty. To reveal persecution as fatal to truth, is to invest it with that character which will best ensure to it the lasting hatred of men. A disease, supposed to be comparatively harmless, is passed by with indifference, but when once discovered to be fatal, men are instantly on their guard against it, and all the resources of science are put forth to subdue it. When persecution is viewed in this light, the persecuting Christian becomes the common enemy of liberty, and the man of expediency, his criminal patron—the victim of persecution rises into importance from the vital nature of his struggle, and men feel that in supporting him they are supporting the cause of truth.

Nor is this view weakened by the supposition that the persecuted blasphemer may be the advocate of error—that he expresses himself in an unnecessarily offensive manner. These are false and deceptive distinctions intended to set a barrier between the sympathies of men labouring for a common object. Let no evasion mislead, nor jesuitry darken this question! The contest is not one of propriety of expression—there is no assumption of the truth of the opinions advocated, but of the right to publish them. It is a struggle against legal interference in matters of opinion, a struggle for the right of free discussion. In the words of Whiteside, "Every thing in comparison with that great right sinks into insignificance. Destroy that right, what will preserve the spring of public freedom fresh and pure? Destroy the freedom of discussion, and you dry up the sources of your freedom. Oh! it is true there have been extravagances and absurdities in the use of that right; but when in the exercise of truth have there not been both? Free discussion first gave us the Reformation. Free discussion first struck down tyranny, and established the liberty under which we live. The spirit of enquiry which it has generated has revealed the secrets of science, and the wonders of nature. Cling, therefore, to the right of free discussion, as you would preserve your lives."

In this dissertation I have used the words atheist and blasphemer, because for them I have chiefly pleaded, and because I have had no desire, by employing neutral terms, to obtain an assent to my positions which would be withheld if they were displayed in the plainer manner.

Education is so important an agent of improvement and liberty that

I cannot pass from this discussion without giving to it a recommendation which this subject suggests. It is easy to see that prosecutions for blasphemy would fall to the ground if a few verdicts of juries were recorded against them, and easy as it would be for one intelligent man to cause this, no such one is found. If reason could prevail but a few times over bigotry —if the members of a jury were but educated men—if they could but carry their views from their box to the general interests of truth—if in attending to points of law they also attended to the claims of justice, and, in their verdicts remembered equity, the victory over intolerance would be for ever complete.

Education is invested with talismanic importance when we contemplate the revolutions it might achieve in the jury box. Bad laws would be enacted in vain if verdicts could not be obtained to enforce them. The intelligent jury-man might become the legislator of his country. But oppression is nurtured in the arms of ignorance. Trial by jury is that solitary point where the power of the government is entrusted into the hands of the people. But of this, advantage is seldom taken by reason of the ignorance which prevails. Trial by jury will not only be the palladium, but the birth place of liberty, when education is diffused to every man.

G. JACOB HOLYOAKE.

INTRODUCTION.

TRIALS for Blasphemy are enduring testimonies against religion, records of noble struggles for liberty, and repositories of the best arguments in favour of impiety. The following trials are the minutes of proceedings of our Protestant inquisition in the 19th century, taken by the Anti-Persecution Union, and laid before the higher tribunals of public opinion, to have passed upon modern Christians the indignant sentence of impartial men, and the execration of posterity.

It is not flattery to say, that two men like Thomas Paterson are not given to one cause in a century. In disinterestedness, bravery, and endurance, he has no known equal. No man has appeared capable of bearding religious tyrants after his fashion. But a short time previous to his visit to Scotland, he had endured in Tothill Fields' Prison, all the horrors that a House of Correction and religious tyranny could inflict for blasphemy in London. On the occasion of his trial in Bow Street, he delivered such a defence as was never before attempted under like circumstances, and probably never will. He has rendered a service to infidelity which lookers-on neither understand nor reward. Future time will reveal its value.

The apprehension of Messrs. Finlay and Robinson for selling infidel books, was the occasion of his going to Edinburgh. He had just retired from public action, to recover his health—impaired in Tothill Fields' Prison —and to follow literary pursuits in the company of his favorite friend—but he could not endure that the infidels' shops should be closed in Edinburgh, and he reluctantly left his retirement and went there. But for Paterson,

persecution would have triumphed in Scotland; and an almost fatal blow would have been struck at freedom of discussion in that country. He went to Edinburgh from a sense of duty, which those who say "He rushed into the lion's mouth," are incapable of feeling. As Mr. Hetherington justly expressed it, "He stopped up the gap of oppression, which other men had not the courage to enter."

The *Investigator* soon announced, that "the man Paterson" was lionizing in first rate style, ereeting his mane, lashing his sides and roaring magnificently. Van Amburgh, *the brute tamer*, who rode into the City a fortnight before, did not excite such general interest as Paterson, *the bigot tamer*.

He took possession of a shop in West Register Street, and on "the third day" opened it and issued the following spirited and satirical placard which merits special record.

Under the patronage of the Procurator-Fiscal.

PATERSON AND CO.

(Of the Blasphemy Depot, London.)

"BEG to acquaint infidels in general, and christians in particular, that, in consequence of the immense demand for blasphemous works—the Procurator-fiscal himself, having taken some hundreds of volumes from another shop in this city—they have, with a view to furnish the public with an ample supply, opened a depot, at 38, WEST REGISTER-STREET.

"PATERSON and Co. will sell all kinds of printed works, which are calculated to enlighten, without corrupting—to bring into contempt the demoralising trash our priests palm upon the credulous as divine revelation—and to expose the absurdity of, as well as horrible effects springing from, *the debasing god-idea.*

"As the present brisk demand for printed works of the above-mentioned character, has been caused chiefly, if not altogether, by the Procurator-fiscal's anxiety to become possessed of a large number of such invaluable productions, and as that functionary is doubtless eager to obtain more, Paterson

and company beg most respectfully to inform him, the following is a list of *some* of the works now on sale :

" The Bible, an improper book for youth, and dangerous to the easily excited brain—with immoral and contradictory passages therefrom." By Allah.—*Oracle of Reason* (atheistical).—*Investigator* (atheistical).—" God *versus* Paterson," the extraordinary Bow-street police report. " Great Dragon Cast Out." " Yahoo." " Existence of Christ Disproved." " The Spirit of Bonner in the Disciples of Jesus," " Palmer's Principles of Nature." *New Moral World.* " Paley Refuted." Also the works of Mirabaud, Volney, Hume, Paine, Shelley, Dale Owen, Frances Wright, Haslam, Strauss, Carlile, and other common sense authors.

" Also, just published, " The Defence of Thomas Finlay," who was charged before the High Court of Justiciary, on the 24th of July, with vending blasphemous works.

" *The Bible aud other obscene works* not *sold at this shop.*"

Several of Paterson's bill posters were apprehended, and soon after Paterson himself, and about £13. worth of his books were seized ; bail was procured, and he immediately resumed his work. The *Oracle,* under the head of " Sporting Intelligence," announced the issue of the following placard by him :

" *Almost thou persuaded me to be a christian.*

" Thomas Paterson begs most respectfully to thank the *Procurator-fiscal* for the patronage he has so liberally bestowed upon him, and sincerely trusts by strict attention to business, and by keeping constantly on sale at his shop, No. 38, West Register-street, a great variety of first-rate infidel works, to merit a repetition of past favors.

" Thomas Paterson begs also to offer the *city police* his hearty thanks for the vigorous manner in which they " stretched the law " against his bill-stickers ! His present limited means will not admit of his testifying his gratitude in so substantial a form as they may desire, but all he can, he will do ;

and if an occasional treat, in the shape of a "blasphemous" pamphlet, will suffice, they may command it at any time.

"Thomas Paterson has nothing further to add, except that he has now on sale an excellent stock of books, such as the *Procurator-fiscal* delighteth to honour: amongst the rest, "Good Sense," the book of books. *(Much needed by the Edinburgh christians.)*—here followed the same blasphemous inventory as before."

A person named Scott Moncrieff, resolving to play on him the prank of Knight Bruce, of London, came one day and knocked his windows in, and ran off with some books, but Paterson who was out at Bruce's visit, was at home on this occasion, and pursued his pious thief—took him into custody and not content with being his own constable, turned his own lawyer and obtained a decision against his prisoner—and not less of a wag than a hero, he, on his return, put a paper over his broken panes, on which was written, out of the Revelations, "The Seven Seals Opened."

More of Paterson's bill-stickers were apprehended, and he continued to issue others of a racy character. He was apprehended a second time, was bailed out again, and subsequently had his head broken at a Public meeting on behalf of Dr. Kalley, and was again taken into custody for a short period for endeavouring to raise his voice on behalf of Dr. Kalley, a fellow blasphemer. He now employed himself with the consideration of his defence until he was brought to Trial, as recorded in the following pages.

G. J. H.

TRIAL OF THOMAS PATERSON,

FOR BLASPHEMY.

HIGH COURT OF JUSTICIARY.

Wednesday, November 8th.

THOMAS Paterson, charged with selling, or exposing for sale, a number of blasphemous publications, at various periods, during the present year, in a shop in West Register-street, pleaded Not Guilty.

Mr. Paterson had no counsel, and with the assistance of Mr. Budge and Mr. Jeffery, two friends, conducted his own defence.

James Anderson formerly of the Edinburgh Police, now of the Perth Penitentiary, deposed to purchasing some of the books that were charged in the indictment from the prisoner at his shop. He was desired to purchase them by the Procurator-Fiscal.

Mr. Paterson cross-questioned the witness, and attempted to get from him his opinion of the blasphemy contained in the books; but the Court would not allow the opinions of the witness to be inquired into.

Alex. Steel went with the former witness to purchase the books, and corroborated his testimony.

George R. D. H. Mackenzie, Esq., Northumberland Street, also purchased some books from the prisoner. Witness asked the prisoner if he was aware he was committing an illegal act, and rendering himself liable to punishment by the sale of such works. He answered he cared not for that—prosecution served only to bring him into notice, and where there was one shop before the prosecution, there would be three afterwards. Witness then went to the Sheriff's office, and gave information.

Cross-examined—Witness did not recollect of being in the shop before purchasing the books. Decidedly he did not recollect of the prisoner being obliged to get a man to put him out of the shop on account of his violence. Had not the slightest recollection of threatening to burn his shop, because he never did threaten that. Perhaps he might have said prisoner deserved three years imprisonment, for he thought so. Did not attempt to take away a large board from the door, but he directed the attention of a police officer to it. Does not know an individual of the name of Finlay of this town. No elderly gentleman ever took him by the shoulders, and requested him to go out. Did not harangue the people out in the street—nothing of the kind ever occurred. No one sent him to purchase the works. His reason for purchasing was to suppress the sale of such works. Witness had not then seen the works; but he considered their titles and the placards at the shop sufficient to show their nature. Witness considered he was doing his duty

as a citizen in the part he took in this case. He considered also that he was doing his duty as a christian. Is aware there is a passage in the New Testament which states, "Swear not at all."

Mr. Paterson wished to know if he might ask the witness how he reconciled this with his taking the oath.

The COURT—Not at all, Mr. Paterson; for if you were a witness, and did not come within the exceptions from taking oaths which the law provides, I must compel you to take the oath, or commit you to prison. We sit here to administer law; and I cannot allow such a question to be put here.

John Kerr, John Robinson, and Michael Kerracher, bought books on three different occasions from the prisoner. They were sent to make the purchases.

Hutton Wilson, in the Sheriff-Clerk's Office, deposed to going over to the shop and seizing a quantity of books.

Abijah Murray, a Sheriff Officer, deposed to going with the former witness.

The declaration, which was proved by Mr. Sheriff Tait and others, was then read to the Jury. He admitted the sale of the books, and he disclaimed any christian name. He signed the declaration "Paterson." In the second declaration he called himself "Thos. Paterson."

There were no witnesses for the defence.

The LORD-ADVOCATE then addressed the Jury. He said it had been decided by the court that the sale of works tending to villify or asperse the Christian religion was a crime. The questions for the Jury to consider, therefore, were—first, did the prisoner sell such works; secondly, did he do this wickedly and feloniously; and third, were the works of the character libelled? With regard to the sale of the works, the evidence was conclusive. With regard to the character of the works, that was a question for the decision of the Jury. The works were before them for their inspection. Here he read several passages which were contained in the appendix to the indictment. There may be matters in regard to discussion and controversy, and with these the authority of the law will not interfere; but if the object be evidently to asperse, villify, and ridicule religion, then that cannot be allowed to go on. Now, with regard to the motives of the prisoner in selling these works, there could be no doubt that he sold them with the view of disseminating the blasphemies they contained. He concluded by asking for a verdict of guilty.

Mr. Paterson then commenced his defence, which he read to the Court. It occupied about four hours in the delivery, and was as follows:—

MY LORDS AND GENTLEMEN OF THE JURY.—I stand charged with publishing works intended to asperse, villify, ridicule, or bring into contempt the word of God *according to Christians*, and the religion *they* call holy. My indictment admonishes me, that albeit by the laws of this, and of every well-governed realm, the wickedly and feloniously publishing, vending, or circulating, or causing to be circulated, vended, or published "Printed works" so intended, are "crimes of an heinous nature," &c.; but with all due respect to Her Majesty's advocate, I submit, or rather *insist*, that the works of which *he* complains, were not published by me with evil intent, neither are they profane, impious, or blasphemous, unless wholesome truth be so, and as to the *unsupported* dictum about the "the laws of this and every other

well-governed realm," making the exposure for sale of books whatever mere opinion they may contain, "severely punishable," I pronounce it as pernicious as unjust, and hesitate not to declare in the face of this court, my firm conviction, that in any realm *really* well-governed, truth, religious or irreligious, would be allowed to fight its own battle, and not as here it is, be clogged by aid from the civil power. In any *really* well-governed realm, so far from attempts being made to bludgeon men into silence, if *they* dared to speak heterodoxly, measures would be taken to *encourage* the free and honest expression of opinion, for the inevitable effect of coercing thinkers into a seeming acquiescence with creeds, fashionable or established, is a plentiful crop of hate, disgust and hypocrisy. Her Majesty's advocate doubtless knows better what *is* the law, in respect of those who prefering physical to mental bondage, plainly avow their conscientious objections to scriptures *Christians* call holy, and *religious Christians* call true; but perhaps I know better than he what *ought* to be the law—nor do I deny that common *law* is on the learned prosecutor's side, but confidently affirm that common SENSE is on mine. Really one cannot but suspect either the sanity, or the orthodoxy of Her Majesty's advocate, as while professing friendship for christianity, he is damaging it far more than the most virulently active infidels—the first apostles of that religion disclaimed the use of any other than spiritual weapons—they repeatedly and emphatically announced that the weapons of their warfare were not carnal—they had faith in what *they* called the word of God. Her Majesty's advocate on the other hand, seems to have far more faith in the arm of the flesh than the arm of the spirit. The weapons of *his* warfare against unbelief, being the perfection of carnality—instead of relying with christian confidence upon the word of god and the spirit of god—instead of viewing them as a barrier, an all-sufficient barrier to the progress of whatever is opposed to them; he calls upon *you* gentlemen for aid, as though the *word* of god needed aid from the *word* of men, or the sword of the spirit was powerless if not backed up by the sword of the magistrate!!! Dr. Chalmers declared in 1829, while addressing a public meeting not half a mile from this court, that it was precisely because the weapons of Christianity's first apostles were not carnal, that they were so mighty to the pulling down of strongholds—He told his hearers that the kingdom of God which is not of this world, refuses to be indebted to any other.—He told them that reason, scripture, and prayer, compose the whole armoury of Protestantism; but gentlemen of the jury it is plain that Her Majesty's advocate is of a widely different opinion—my appearance here to day is demonstrative proof of *his* voidness of faith in such armoury as Dr. Chalmers pronounced the whole of Protestanism; and the ability of *God's* kingdom to resist all human attacks—had Her Majesty's advocate *one grain* of faith in the competency of Holy Scriptures, or the Christian religion to withstand the fiercest assaults of their enemies, he would have parted with his right arm, rather than lift it in their defence. I recommend him to study the writings of that eloquent divine just mentioned, who has so often denounced persecution with Demosthenic energy, such study would greatly mend the *Christianity* of Her Majesty's advocate, as well as his morals. It would open his eyes to truths against which they now are closed, it would teach him that since the practice of intolerance has prevailed in reformed Europe, Protestantism has come down from its vantage ground; that since it wrested

from its Popish enemies the weapons of persecution, and commenced to wield and brandish them itself, it has been brought to a dead stand. Persecution has in truth palsied Protestantism—not only is it an outrage on every principle of justice, but the very antipode of everything expedient. If in that box there are religious bigots—I lay aside all hopes of convincing *them* how fatal to religion itself are prosecutions levelled against those who attack it. Bigots, especially religious ones, are as little to be moved by facts or arguments, as rocks are when foaming billows split themselves against their flinty ribs ; they are cased in armour that reasons' shafts cannot penetrate; they may be convinced of anything save their own credulity, which though palpable to everybody else, is to them a profound secret. The character of a religious bigot is a detestable compound, of which imbecility, cowardice, and obstinacy are the chief ingredients—if he has had a vision commanding him to butcher his own offspring, he will rather discuss the propriety of putting them to death, than interrogate the vision as doubtful, or the effect of a delirious imagination, because he regards it as *sacred*, and all examination as BLASPHEMOUS. If you, gentlemen of the jury, are individuals of so odious a character—if you are prepared to hunt down every man who publishes opinions hostile to your own—if you hand me over to the secular arm, because I attack orally or through the press, opinions *you* deem usefully true, but which I deem perniciously false, if in a word you are *bigots*, I expect nothing from your sense of decency or of justice ; if however you entered that box with a determination to return an honest and consistent verdict, I am sure of an acquittal—yes gentlemen of the jury, I confidently repeat the words, "sure of an acquittal," if you are not bigots, as it will be easy for me to expose the egregious folly of the charge Her Majesty's law officers have been so wrong-headed as to trump up against me. The gravamen of that charge is, that I am a Blasphemer, or at least a vender of books containing blasphemy, which in truth is the same thing. In refutation of this silly charge, allow me, in the first place, to remind you of the very free and knavish use that has been made from time immemorial of those words, Blasphemy and Blasphemer—It has been observed by an eloquent preacher, that Socrates the wise was a blasphemer; Aristides the just was a blasphemer; Jesus Christ the righteous was a blasphemer; and he might have added every man, in every age of the world was a blasphemer, who raised his voice in condemnation of state priests, and state religions. Oh, how ill does it become men whose god was stigmatised—nay, crucified as a blasphemer ; to cry blasphemy, blasphemy, when *their* religion is attacked. Look into the New Testament, gentlemen, and you will find that when Jesus Christ said, "I and my father are one," the Jews took up stones to stone him; and when Jesus asked them, "For which of those works which I have shown ye from my Father do ye stone me?" The Jews answered him saying—"For a good work we stone thee not, but *for Blasphemy*, and because that thou, being a man, makest thyself God." Evidently therefore, Jesus was, in the opinion of the Jews, a blasphemer.—They understood not how a man could be a god, and though a god, still a man. It was therefore perfectly natural for such a savagely intolerant race to accuse of blasphemy the utterer of such language. Their religion taught them to stone blasphemers, and of course to kill "every soul that breathed what they considered blasphemy," was a religious duty. We read in Deutero-

nomy, that the Israelites were commanded to stone heretics with stones that they die; no marvel then that the Jews with such a command before their eyes, should have stoned Stephen as a blasphemer, and threatened to do the like for Jesus Christ; and if Her Majesty's advocate sincerely believes the Pentateuch was written by divine inspiration, it is by no means marvellous that he should originate and carry forward a prosecution of heretical publishers —the Pentateuch furnished abundance of precedents for such, and even worse proceedings. An American writer of celebrity has remarked, that whenever man undertakes to be god's avenger, he becomes a demon—Now this is what all persecutors of heretics and blasphemers do—they presumptuously as wickedly interpose between their *unknown* god and the consciences of their *known* fellow men. They presume to interpret Omniscience, to defend Omnipotence, and to prove Omnipresence! They attribute to their incomprehensible idol, the passions which rage within their own breasts; proud, malignant, and vicious themselves, they wickedly ascribe pride, malignancy, and vice to that god they *affect* to honour; and would fain force all to worship, Nebuchadnezzar like, the monstrous idol they raise up. This, gentlemen, is a species of tyranny none should tamely submit to. It is a tyranny none *do* submit to, but the intellectually imbecile, or the sordidly interested. Surely the horrible effects which have resulted from attempts to tyrannize over conscience, should serve as a beacon of awful warning to the persecuting bigots of this generation; but their lust of domination in what they call spiritual things, is only equalled by their utter ignorance of every useful lesson that history teaches, and I must state the fact, that no order of Christian religionists of whom history speaks, ever permitted to others the same measure of mental freedom they claimed for themselves. This tells fearfully against the character of Christianity itself; for it seems incredible that the professors of a just religion should have been so uniformly unjust in their practices. Their stoning blasphemers, and murdering by wholesale the Canaanites and other idolatrous people, does in nowise astonish me, for they were taught to believe in a jealous, angry, vengeful, deceptious deity; a deity so jealous of his favorite people, as to declare by the mouth of Joshua, that if they forsook him and served strange gods, he would turn and do them hurt, and consume them after he had done them good; a deity so angry as to slay seventy thousand guiltless men, because David, at his own suggestion or moving, saw fit to order a census of the people; a deity so vengeful, if Samuel may be believed, as to destroy all that the Amalekites had, slaying both man and woman, infant and suckling, aye, and even their oxen and sheep, camels and asses; a deity so deceptious as to send among his creatures, strong delusions that they might believe a lie." I say, my Lords and Gentlemen, a people who from their cradles had been taught to believe in the reality of such a deity—could not fail to become deceptious, vengeful, angry, and jealous—could not fail in short, to be like the deity they were instructed to worship.

Stubbornly convinced that the human race must renounce its idolatrous worship, and the belief from which that worship springs, before it can start fairly on the race of improvement, I have thought it part of my bounden duty to spread abroad that kind of knowledge, which, once generally diffused, will be found incompatible with, and therefore destructive of, those superstitions which have corrupted society to the very core. If Christianity

is not of these, it will not perish amid the general wreck of antiquated rubbish; for what is *true*, can suffer nothing from the destruction of *error*, any more than *justice* can suffer from the extirpation of *injustice*. But I warn Her Majesty's Advocate against the insane notion that men are to be christianized by penal laws, or that any religion can be strengthened by destroying the writings and closing the mouths of its rejectors. When the pious Emperors Constantine and Theodosius decreed that all writings adverse to the claims of Christianity, as then by law established, should be committed to the flames, they doubtless by that stroke of policy succeeded in quenching for a while antagonism to their religion, and materially aided in the work of preparing Europe for a thousand years of darkness; but, thanks to the inventors of printing, that darkness is fast dissipating before the rising sun of knowledge which has already infused into the priest-trampled multitude so much warmth and force of intellect, that no crowned haters of heterodoxy can successfully play over again the bigotted pranks of a Constantine or a Theodosius. Her Majesty's Advocate may again, as he has already done, employ agents to enter my shop, and legally strip it of all writings adverse to the claims of the Christian Religion; he may again rejoice over the capture of books which it is more easy to *burn* than to *answer;* but neither Her Majesty's Advocate, nor Majesty herself aided though she were by all the monarchs, princes, armies, and advocates of Europe, can extinguish, or even sensibly check, the strong desire which almost universally exists to freely investigate—freely print—and freely speak upon *religious* topics. Now is indeed the time when Christians should exhibit to the whole world an example of justice, when they should no longer madly attempt to frighten men *from* reasoning, or terrify them *out of their reason*, when they should rely on the "goodness of the cause, and on the bases of its orderly and well laid arguments. Let them do this, and they will be respected by foes as well as friends; by Infidel as well as Orthodox. But, if they are not disposed to do this; if, instead of adopting a policy of conciliation, they persist in their wild attempt to coerce dissenters into silence; if, instead of faithfully relying upon reason, scripture and prayer, they rest the body of their religion upon such dangerous crutches as courts like this afford, they ensure its destruction, and earn for themselves contempt and execration. Any religion, or system of laws that obstructs the current of thought will inevitably be swept away by it. If Gospel story may be relied on Christ taught that "truth shall set us free," a sentiment in which I heartily concur. No Christian can feel a profounder conviction, than I now do, that truth will emancipate the world when the world will *accept* of truth. But how are the denizens of this planet to be taught truth, or enabled to acquire it, while truth telling remains the most dangerous of all employments; when the tongue and the press are free, *then*, and *only then*, can those truths it most concerns us to know, be brought within the reach of all. Does any one suppose that in a country like this where we hear such noisy boastings about civil and religious liberty, and see almost every hour such flagrant outrages on both, truth, concerning religion, will be freely spoken. He understands human nature very imperfectly who expects sincerity in a country whose inhabitants load with wealth and honor those who flatter their prejudices and drag before tribunals such as this, men whose only crime consists

ting those prejudices at defiance. It may, as indeed it has been said, at the liberty I ask amounts to licentiousness. Well, admitting for the ke of argument that what I am charged with having written, is the very ence of liberty, still it remains for Her Majesty's lawyers to shew, how te *prosecutions* or magisterial *meddlings*, can *remedy* the evil. To me it ems that the only corrective of *impurity* is *purity*; of *falsehood* is *truth*. ltivate a popular taste for the pure and the true, and, depend upon it, ne will be found to countenance or esteem the false and corrupt. The rgy of Scotland, like the clergy everywhere else, declare *truth* to be on eir side; if so, why need they fear the false books, so called, which I nd accused of publishing? False did I say; I very much question ether they *think* them false though they loudly proclaim them so, for, in e very teeth of their oft repeated declaration about the mightiness of ristian truth, its almost miraculous potency, they shew their want of nfidence in that truth by calling upon authority to put the opposing false- od down—not scriptural, nor reasonable, nor prayerful authority; but e authority of high courts of justiciary or law courts of police.

Reflecting men are astonished, and well they may be, to see the pains ken by civil functionaries to keep alive the detestable spirit of religious aticism. They are amazed that individuals of station and abilities ould throw oil upon the flames of bigotry, instead of labouring to extin- ish them. This is the crime of Her Majesty's advocate. To serve ne paltry state purpose he is recklessly doing all that in him lies to excite the human breast passions which every enlightened lover of his species ast anxiously desire to annihilate. Why, if his doctrine regarding those is pleased to denominate as "blasphemers," were consistently acted upon, rope would again be the theatre of unholy religious wars, again would e soil be moistened by the best blood of its people,—again should we see quisitions and star chambers bring into requisition their instruments of ture, stifling the voice of truth amid the shrieks and groans of its votaries. ame on those who would revive the bloody practice of that dark epoch, nen Rome's minions trampled down beneath the iron heel of spiritual spotism every vestige of liberty! I do not accuse Her Majesty's advocate any tendency Romeward, I do not accuse him of wishing to forward the abitious projects of those Popish plotters who even within the walls of r Universities avow their resolve to unprotestantize Europe; but I *do* use him of forwarding those projects and strengthening that resolve. osecutions such as these are the very things popish conspirators most re- ce to behold, and it is quite natural they should do so, for in their breasts e of Romanism and desire for its universal acceptation swallow up all ner feelings. Now it is well known that the Roman Catholic Church is tensely hated by Protestants, but more on account of her persecuting spirit an any other single cause. Yes, gentlemen, it was the intolerant *practice* that church in her days of pride, rather than her *doctrine*, which is at s moment the prime drawback to her reassumption of undivided thority. But if Protestants imitate the persecuting practice of Papists, e latter will not fail to turn the lucky incident to account: and say why uld Protestants, who are themselves persecutors, find fault with the rsecutions authorized by Papists; why should they, who cast men into ison for bringing into contempt *their* christian religion be so furious

against Papists for doing the same when *they* were in authority. Nor d
my lords and gentlemen, understand with what shew of consistency P
testants can denounce the persecuting spirit of Roman Catholicism w
themselves are manifesting the self-same spirit. It is an old maxim
men should come into court with clean hands, but I am at a loss to c
prehend how persecuting Protestants can, with "clean hands" come
court with charges of persecution against Roman Catholics. It may
said that Protestants persecute less cruelly than Catholics did in day
yore, and perhaps they may boast of some such negative superiority.
they ought to know that whether a man be punished little or much for
pressing heterodox opinions; if he *is* punished at all, the principle of r
gious liberty is violated. Catholics threw heretics into cauldrons of bo
oil, racked, burned, and starved them to death. Cruelties which w
rarely practiced by Protestants on the persons of heretics, even during
intolerant sway of Elizabeth, nor is it probable there are many Protest
now present, so brutally bigotted as to wish to see me boiled to death,
my limbs stretched on the agonizing rack; but, without doubt, many
stand before me who would rejoice to see me pining in a dungeon, shut
from common light, and common air. Such persons can raise their vo
in protestation loud against the authorities of Madeira for prosecu
Dr. Kalley, because he is an Orthodox Christian of exactly their
stamp, but not a whisper of sympathy do these *soi disant* lovers of
and religious liberty breathe against the authorities of this city for pr
cuting me, because I happen to be heterodox. O! magnanimous lo
of liberty! generous men! most noble Protestants! who protest ag
every one's liberty except their own, and hold that to be freedom w
themselves are free; these liberal specimens of the *genus homo* are
liberal, in the sense of that Spanish father who greatly marvelled at
discontent evinced by the cruelly treated aborigines of America, not b
able to comprehend how those savage pagans could suppose they yie
to his countrymen, their plundering benefactors, any thing more than
inconsiderable recompense in surrendering to them a little pitiful tra
this dirty sublunary planet, in exchange for a glorious inheritance here
Such ever has been the genuine language of genuine bigotry. Bigots
every age acted with more or less of uniformity upon the principle that
good, perfectly christian, to torture men's bodies for the benefit of t
souls. Only consider gentlemen, the self complacency with which Pa
squared their conduct in harmony with that orthodox principle, and th
less self satisfaction with which Protestants have followed their exam
I have often been told by humane Christians of our reformed church
Protestantism when true to its origin is necessarily tolerant, and th
acts in direct hostility to the spirit proper to it, whenever it coerces
science, or by force of law, and the infliction of civil disabilities, it
non-conformists into the practice of positive or negative hypocrisy.
in answer to all this I invariably point to what is daily passing before
eyes, and what we learn from history's page, *did* pass before the ey
our forefathers. Protestantism may, or may not when true to its origin
necessarily tolerant; but the fact is undeniable, that concientious P
testants are found amongst the most forward and vindictive of persecut
Their religion I profess not to comprehend; nor do I think they com

end it themselves, but their *practice* is unmistakable; about *that* there an scarce be two opinions; *that* is the scorn of every enlightened man in aristendom; for that practice *is* and has *ever been persecution*! They ould fain be thought lovers of free discussion, while displaying hate the ost rancorous towards all who assail their creeds. They indignantly dis-laim the character of persecutors while in the very act of persecuting, just s pickpockets stoutly assert their respectability while detected in the very ct of drawing a purse.

Less than a century ago there was on the statute book of Ireland a law discovery by virtue of which the man who betrayed the confidence of his iend, if he were a Catholic, possessed himself of that friend's estate. he Protestants of Ireland who made and enforced that atrocious law ould by no means endure to be called persecutors. There was a law in e same unhappy country which disabled the Catholic father to be guardian his own child, or to educate him. There was a law for robbing the atholic of his horse on the highway, if, when interrogated, he confessed is faith. There was a law to prevent the education of Catholic children; punish Catholic teachers as felons; to banish the Catholic clergy; to revent Catholics purchasing or inheriting landed estates; and from hav-ng arms for their defence; to debar them from the profession of the law, nd to prevent them from holding any offices of trust, honor or emolument, oting at elections, or sitting in parliament; finally there was a law which ade the disobedience and apostacy of the Catholic child, the means hereby to disinherit the parent. All these laws, and many more, equally rocious, were the fruits of Protestant ascendancy in Ireland; but where all we find an Irish Protestant—a genuine orangeman who would not y blasphemy, blasphemy, if his religion were charged as a religion which joined or authorised persecution. In the life of Robert Emmett, a valu-ble little work published in 1838, its author after enumerating the horri-le laws just referred to, observes that the United Irishmen found their ountry under government of those laws, and of perhaps a hnndred more l conceived in the same spirit, and all elaborated with consummate skill rob, harass, and insult a defenceless people. Those statutes, without arallel for their inhumanity, were framed against CHRISTIANS, under pre-nce of securing the Protestant religion. *They* were enacted by Irish *Protestants*, than whom no sect has cried out more loudly against persecu-on, when Protestants were its martyrs.

Protestants who are not so hardened in bigotry as to be impervious to shame ust blush when they hear such facts as these, they cannot but be ashamed practices so repugnant to their theory of Christianity—so flagrantly unjust, nd in Protestants so contemptibly inconsistent. When Catholics persecute is bad enough, but when Protestants follow the odious example, the act a thousand times more revolting, nor can it be defended on the score of ility; Protestant prosecutors are not only cruel and disgustingly incon-stent, but the most successful damagers of *their* own religion—cui bono—hat is the good of their prosecution? what evil do they cure—what useful nd accomplish? none, absolutely none; on the contrary, they excite feel-ngs most odious, and give birth to practices the most demoralizing. urely no individual now within reach of my voice is stupid enough to uppose that prosecutions directed against conscience ever advanced the

cause or strengthened the opinions of those who instituted them. Dan O'Connell has lately observed in one of his addresses to the Irish peop that prosecutions never yet extinguished a great cause. He said the tru but not the whole truth; for persecution so far from extinguishing gr causes, is that very element which in a majority of instances keeps them i full blaze—no great causes can be brought to a successful issue, if opini lags behind them—opinion is the great arbiter in all human concerns, a intellectually stultified *must* be the man who dreams of checking the mar of opinion by arbitrary prosecutions. Prosecutions are impotent as coward when directed against *opinions* whether those opinions be true or false—if falsehood is let alone it never fails to commit suicide—for falsehood is necessari self-destructive; but the worst and most ludicrous opinions that ever wa promulgated, when meddled with by halfwitted people, dressed in a little bri authority, are invariably found to have spread with amazing rapidity; m own case will be found partly in point; if you pronounce an adverse verdict I shall probably be imprisoned, but the impiety, profanity and blasphemy the selling of which constitutes my crime, cannot also be sent to prison! T prevent the people of these realms possessing and reading is beyond th power of all the judges in these realms; nothing in fact stimulates publi curiosity so effectually as prosecutions of this nature, and without pretend ing to the gift of prophecy, I can promise Her Majesty's advocate, tha the books so absurdly, not to say malignantly, stigmatized in my indictment will from this day forward be far more anxiously sought after and of cours far more extensively circulated than they ever yet have been; of course my conversion to Christianity by means such as he has employed is quite out of the question. No man ever was persecuted *into*, or *out* of any belief—depend upon it my lords and gentlemen of the jury that infidelity is not to be cured by punishing its promulgators—no measures of punishment, how ever severe, could have the effect of changing my sentiments with respect to religion's character and tendencies—were my body stretched, by order of this court, upon a rack, I might shriek with anguish, but could not change my opinions.

Our opinions don't depend upon our will; but our *capacity* to judge of those phenomena, whether exhibited by men or things constantly operating upon our organs of sense. Belief, as well observed by an eloquent modern writer, is *involuntary*, a moral phenomenon similar to the sensation of warmth or chill in the physical frame; coming to us often unsought and deserting us unrequested. The same principle was enunciated by Lord Brougham in the course of his inaugural address, delivered after his election to the Lord Rectorship of Glasgow University.

I may perhaps be told by Her Majesty's advocate that though belief may be involuntary, still the expression of some kinds of belief is not to be tolerated. He may admit that it is atrociously ridiculous to imprison or otherwise torture any one for publishing opinions he can no more help entertaining than he can help the hue of his skin, or the height of his stature; yet still insist that such torturing is expedient. He may be wise as Brougham, and yet act like Bonner, and endeavour to justify his present attempt to terrify dissenters of my stamp into silence, by state sophisms about "dangerous tendency of infidelity"—"public much needing protection," and other sorts of impertinent rigmarole, in which Her Majesty's

law officers are previleged to indulge themselves. Those personages affect great regard for public morals; though not a few of them are insidious corruptors of those morals, and these few are the very men who make such a hullabaloo about blasphemy, and so vehemently call down condign punishments upon the head of Infidel publishers. O; say these *virtuous* officials whose religion is so stringent, and morals so lax; "to bring into contempt the Holy Scriptures and the Christian religion is not only wicked, but *felonious.*" Indeed! their speeches upon these occasions and topics ought to be stereotyped and might be with advantage—the immorality of free opinions and desolating influence of infidelity are the pivotal assumptions in which their whole mass of declamation turns. According to them, it is quite right all should have the privilege of publishing what they think, *except* infidels—*they* are just to be put beyond freedom's pale; the liberty "they ask is licentiousness," and the object "*they* seek to attain, perfectly devilish." In truth infidels are at this day treated by Protestants with the same injustice, and the same intolerant spirit that heretics were by Catholics during the dark ages.

> *"From the Catholic church, if a man turned aside*
> *Inquisition, for arguments, faggots supplied,*
> *Such compassionate charity, zeal as refined,*
> *Set the body on fire to enlighten the mind."*

Protestants are not quite so cruelly intolerant as this—*their* treatment of infidels is much less harsh than Catholic treatment of heretics—but still they are persecutors, and bitter, relentless, persecutors too. I have already shown the abominable cruelties practised during the last century by the Protestants of Ireland upon their Popish fellow Christians, they did not go the length of burning their bodies; but they stripped them of wealth and liberty; they barred their passage to honourable employment; stung them to madness by intolerable insults, and practised every mode of oppression that the fertile genius of religious hate could imagine or invent. But I need not go to Irish history for proof of savage bigotry, legalized and applauded by Christians rejoicing in the name of Protestant; read, gentlemen the history of your own nation, and you will see that there is scarce a page of it where deeds of blood are not recorded; deeds performed by followers of Christ and applauded as exploits of heroic piety by those calling themselves his ministers. That history establishes the important fact, that there *never* was a sect of Christians armed with authority, who did not use that authority to stifle the voice of dissent; nay more to bring down in blood to the grave, the hairs of those who ventured to announce any religious opinions, not the *echo* of their own. The Covenanters were barbarously persecuted by Episcopalians. No creature that crawls the earth is more treacherous, cruel and ferociously vindictive than a religious fanatic. He is deaf to the voice of reason and to all emotions of pity—the shrieks of a tortured infidel ring like music in his ears; and to sweep him into eternity he calls doing God service; and *where*, permit me to ask without offence, where are fanatics more numerous than in Scotland? The better instructed of its people are well assured that religious fanaticism is, as for centuries it has been, its curse and disgrace. In an age long past, it stalked abroad unchained and uncontrolled with cowl upon its head; fillet upon its eyes,

and flaming torch in its hand, now its form is less hateful, its eyes are unbandaged, and in lieu of the flaming torch, it brandishes the policeman's baton; but still it is Scotland's curse, and Scotland's disgrace. The nine enthusiasts who murdered Archbishop Sharpe in 1579, bound themselves by a vow to sacrifice him to the sufferings of their sect—according to their own statement, "they had inquired the Lord's mind anent," that is, concerning the murder; and the *word* bore in upon them, "go and prosper." On the 3rd of May, they met him and barbarously slew him, retired to separate prayers, after which, one of them, William Daniel by name, assured his companions in crime, that the Lord had said unto him, "Well done, thou good and faithful servant." Those men's intellects were so debauched by what *they* thought true religion; that after embruing their hands in the blood of a fellow creature, they imagined a merciful God could applaud the atrocious deed. The assassin Mc Naughten evidently laboured under the delusion that to shoot Sir Robert Peel, (for 'twas *his* life he sought,) was a religious duty. Daniel, Ravaillac, and Clement were fully assured that their god smiled upon, and approved their bloody deeds. The unhappy man Thomas James Sisk, who in 1830 lurked about the house of lords, loaded pistol in hand, with the intention of shooting the Duke of Wellington, displayed a character perfectly analogous to that exhibited by religious zealots in all countries; he declared among other wild absurdities, various visions and a commission from Almighty God, to do that which he was disposed to do; he pretended like Jonah, that he was at first far from willing to accept God's commission; and tried to avoid doing so, but found the divine spirit too strong for him. It came out in the course of his examination, that he had from his infancy studied the prophecies of the old testament, and had got by rote, every part of it, where the Jews' God enjoined the slaughter of mankind for their wickedness.

Such my lords and gentlemen, are the pernicious consequences of fanaticising a population—you unhinge their intellect, or, at least, debase and corrupt it—you infuse into them a spirit of intolerance, and a lust of cruelty, entirely incompatible with all pure and elevated conceptions. I may be told that the lessons of scripture, if read aright, do not teach lessons of intolerance or brutality, but if so, I ask, how does it happen, that an immense majority of those who read that scripture, and firmly believe it a record from heaven, did, and *do act* so brutally and intolerantly towards those who deny the truth of their religion. I willingly admit that the gospel contains many passages which condemn every kind of intolerance; but it cannot be denied that those books contain other texts, and those not few in number, which justify the infernal practice. Such texts too are better remembered, or at all events, more consistently acted upon than those of a contrary description. Christianity was no sooner established, than its believers commenced the work of persecution which has been continued by their descendants to this very day. The persecution of the Jews soon followed the conversion of Constantine, and incredible as it may appear, Christians who in their own persons, or in the persons of their fathers, had suffered from intolerant authority, by the terror of military force, confiscation, manacles and torture, compelled nearly one hundred thousand Jews to receive the sacrament. So shockingly inveterate were Christians against them in the fourteenth century, that a fatal distemper which raged through-

out Europe, was said to have been caused by their poisoning the wells. They were accused of doing so, found guilty, though not a tittle of evidence could be adduced in substantiation of the charge, and upwards of a million of them were consigned to destruction. The bigoted Constantine, and his yet more bigoted Christian successors, could easily justify their atrocious outrages upon Jewish and other infidels, by pointing to the gospel texts, where persecution is enjoined in letter and in spirit. The flimsy veil of weakness that gospel writers have thrown over the person of Christ, may cover, but cannot conceal, his intolerance: "Go out into the highways and hedges and compel them to come in," is the command he is said to have given his disciples. Any attempt to construe this command into persuasive compulsion, is altogether futile, for such a construction is too strongly guarded against. The parable begins with an ineffectual invitation, and then follows the despotic command of the angry master, "Go out into the highways and hedges, and compel them to come in." It is certain that Christians in all ages have considered it a sacred injunction to use physical force for the spiritual good of mankind, never doubting that all who "believe not" their religion "shall be damned." Abundance of sayings are ascribed by Christians to Jesus Christ which breathe a very different spirit, as for example, "I will have mercy and not sacrifice."—"Judge not that ye be not judged." Such sayings as these, Christians may *admire*, but they certainly never *act* upon them. *Her Majesty's advocate does not. He* has evidently no scruples about judging lest *he* should be judged; and can by no means boast, as his divine master did, that he judged no man; for he has brought me before the judgement seat, not, it would seem, having the incarnate god before his eyes, who expressly declared, if the divine record be not false, that with what measure *he* metes unto others it shall be measured unto him again. I do not slander the learned gentleman, but, as Paul said to Felix, speak the words of truth and soberness. Is it not plain, gentlemen, that, instead of leaving Scotland's true religion attackers to the god who declared, "vengence is mine," his conduct announces more forcibly than any words could do, that he is resolved vengence shall be his. How he can, as a Christian, reconcile his conscience to his conduct, I pretend not to understand; but, I almost forgot, that few lawyers *are* burthened with a conscience. Butler in his inimitable "Hudibras," tell us of certain individuals, who

> "*Compound for sins they are inclined to,*
> *By damning those they have no mind to.*"

And perhaps Her Majesty's advocate belongs to this curious class of persons. The opinions I hold, are vulgarly thought sinful, and of course, the promulgation of them, is by the vulgar deemed sin most heinous. Now, the learned gentleman having no mind to *this* sin, officially damns it, and thereby, compounds for those, to which he has a sneaking attachment. But let him beware how he proceeds; let him hesitate to raise a spirit that to lay may be beyond his power; let him reflect, that he who sows the storm, should be prepared to reap the whirlwind; let him, above all, remember that prosecutions never yet extinguished a good cause,—nay, so far from extinguishing, they rather served to strengthen and promote it. My prosecutors may think the cause in which I am engaged, and to which I am ready to devote all my energies, a *bad* cause; but I think otherwise.

I think it the noblest cause that the noblest of our race has embraced; for it is the cause of *universal emancipation!* Yes, gentlemen, my struggle is for the emancipation of intellect! and who understands not that when *that* shall be realized, the reign of tyranny, fraud, and injustice will terminate. Methinks, gentlemen, a smile of incredulity plays about your lips; and doubtless it does seem marvellous in your eyes, that a man who has publicly renounced all faith, in all creeds; who is so grossly infidel as to agree with Pope, that we can only reason from what we know, and therefore rejects the wild tales told by priests as "Divine truths" about Gods and worlds unknowable, that *he* should lay claim to the character of a reformer, who, however moderate his abilities, seeks no other end than the emancipation of his species!

Why have I written and spoken so much against the prevailing belief in a God. This question is self-imposed, gentlemen, that you may be convinced that even on the floor of this court I fear not honestly to answer it. No, gentlemen, "come weal, come woe," my fixed resolve is to announce the reasons for my incredulity with regard to the existence of one or more supernatural beings. As to those spiritual idiots who furnish abundance of reasons why we should not reason upon such topics they are well answered by that eminent champion of Christianity Origen Bacheler, who declared "they must be very unreasonable who object to reasoning—yea, so impracticable is their theory on this point that ere they were aware they found themselves warmly engaged in controversy against controversy, and striving to give *reasons* why men should *not reason!*" Indeed, gentlemen, it must be evident to such of you as seriously reflect upon the being of a God that even if it *exist* it cannot be *demonstrated.* None can see God. None ever did see him. We read without doubt in the Jews' Scripture that Moses spoke to God face to face as a man speaketh unto his friend; but in another part of the same Scripture it is written that "no man could look upon the face of God and live;" both of which texts can't be true, the one containing a direct contradiction of the other, so that those who accept that Scripture as the word of a God will be sorely puzzled by these and other passages which refer to *him* of an equally irreconcilable character. Indeed gentlemen, I cannot but think Dr. Donne was right when he said Scripture texts plucked out one by one, serve for little else that springes and snares, for "true it is and of verity" that such texts are traps set by the cunning to catch the credulous. Only consider, gentlemen, the undeniable fact that one page of the "sacred record" tells us "no man hath seen God at any time;" while another vouchsafes to us the extraordinary information that the man Moses spake with God face to face as profane persons speak unto their friends. Bishop Watson, Dr. Chalmers, and other eminent writers on the Christian side, assure us that there is no *natural* evidence of Deity's existence, and that we must place our trust in *revelation,* in *that* and that alone, say they, we can find evidence of a God. On the other hand, Brougham, and a host of natural theologians as confidently tell us that without the prop of *their* theology, revelation rests on nothing more authoritative than vague tradition. Take your choice, gentlemen, between these two classes of god believers; one class assures us that we cannot come at a knowledge of god except by a study of natural phenomena; while the other class insist that nature does not teach a God; nay, so far

from it that the book of the Jews furnishes the only solid foundation for belief in such being. So here we have Chalmers, and his troop of revelationists saying that "revelation" is everything, and that evidences of design in the universal structure are worth nothing; while Brougham, the master intellect of our age, positively announces that without those evidences of design, in other words, without natural theology, what Jews and Christians call revelation is a heap of tradition; for no argument is necessary to shew that what rests upon tradition has itself no more than a traditional value. Not being, myself, a natural theologian, nor a believer in any revelation save that which visible nature offers to the senses of its beholders, I am as remote from the conclusion of Brougham as of Bishop Watson and the ex-moderator of the "Free Presbyterian Kirk." Nevertheless it does seem to me specially ridiculous—the quintessence of folly in fact—to talk of finding out God in a book which expressly states that He is "past finding out;" a book which teaches literally nothing about Deity, except, that nothing can be known about him. Obviously an incomprehensible God is a God not to be comprehended; now, just such a God does Scripture teach. There are in those writings scores of texts which do not merely warrant, but compel the inference, that, if there is a God, to comprehend him is beyond the power of mortal sense. A great deal is said about God in the Jew's book; but for all the positive information it conveys, it may as well have been unsaid. Nay, instead of being aided by the Godly information with which that book abounds, readers are distracted and confused by it. Instead of definite descriptions they meet with figurative rhapsodies, wild declamation and hyperbolical rant. Instead of seeing reflected in its pages that God of whom they are in search; they behold a darkly confused representation of originals disgustingly human. Searching the Scriptures is perhaps profitable to those who do so in an enlightened spirit; but looking therein for information with regard to an intelligent *something*, not *anything*, who, nevertheless, created *everything*, is, in my judgment, *madness* not to be overmatched in midsummer. "I am all that *was*, all that *is*, and all that shall be; but no mortal has raised the veil which covers me," were words inscribed upon one of Egypt's ancient temples. They are rather mystical: not, however *so* mystical as to be unintelligible; for, by the Egyptian *I am* may be understood the universe, which truly may be styled all that *was*, all that *is*, and all that *shall be*. But who shall explain the *I am that I am* of your Pentateuch! who can extract sense from those words! Suppose an individual, when asked who and what he was, were to reply *I am that I am*, would not such a reply be thought an evasion of the question? I put it to you, gentlemen, whether those mysterious words convey any definite idea of the God who is reported to have used them. If we deal with those words as I just now did with the curious sentence inscribed on the Egyptian temple, that is, if I interpret them in an atheistical sense why the *I am that I am* of Moses like the *I am* of Egypt's priests are not words standing for a creative being apart or distinct from the universe, but that universe itself. This however is an interpretation no Christian will allow; for all Christians believe their God existed before the world, that is, before there was anything to exist in! They believe that their God by a simple act of volition caused all things "visible and invisible" to bound from nonentity; they believe that of old their God laid the foun-

dation of the earth; that the heavens were the works of his hands; that he was set up from everlasting from the beginning before the earth was. When there were no depths he was brought forth; when there were no fountains abounding with water. These texts, according to the learned John Bellamy, are a sufficient answer to all those who say there was an eternal chaos, or deep, or mass of crude matter, out of which God created the heaven and the earth, for we find that the pre-existence both of matter and chaos, or the deep, is rejected by the inspired writers. It appears therefore that God was the creator of the very materials, or matter of which he formed all things. Now gentlemen, it may be possible for such a God to exist, but it is not possible for us, or any mortal creature to entertain other than false ideas of him. God, we are told, is infinite; if so, how should the finite comprehend him, when that word infinite itself is altogether meaningless, except in a negative sense. To say that a being is *infinite* is tantamount to saying he is so immense that we can form no idea of his immensity. An infinitely long thing is a thing no one knows the length of. An infinitely powerful being is a being that none can measure the power of; and so of all other things, real or imaginary to whom or which the word infinite is applied. Bellamy declares there can be but one creator, one God, and to that infinite *one* he attributes ubiquity, omnipresence, and I know not what else. Strangely enough too, he candidly admits that the attributes possessed by his God are such as "it is impossible for man to form an adequate idea of." If so, 'twere far better man should form no idea at all of them; for an idea that is not *adequate* is *false*. Bellamy therefore according to his own showing believes in a God with respect to whose attributes he necessarily entertains spurious ideas, I say *necessarily*, because, if we suppose a supernatural or superhuman being who created and controls the universe, it is obvious that to understand him,—in other words, to have pure and true ideas of him we must have superhuman faculties. The *human* cannot know anything of the *superhuman*; the *finite* of the *infinite*; the *mortal* of the *immortal*; the present in *one place* of the present in *all places*; the *limited in power*, of a being whose *power is unlimited*; the *partially* knowing, of the *all* knowing; finally the *material* of the *immaterial*. If a God there be, it is evident that nought save a God can understand him; and why should men rack their brains by attempts to measure the immeasurable; why busy themselves with the discussion of unintelligible questions, when so many, which lie open to human investigation, and within the reach of our faculties are undecided—nay, almost entirely unheeded? of what value are the best human conceptions of Deity broad day dreamers have published for our edification? none, absolutely none! And as to the worst of those conceptions, they are too disgustingly horrible to be embodied in words. Men in all ages have imagined monsters and called them Gods. So monstrous are those *imagined* beings that the history of Gods would more appropriately be termed the history of demons. Indeed the fabled existence called evil, is in no respect a less respectable personage than the God worshipped even now in many countries called civilized; and yet, because I sold books calculated to bring so monstrous a conception into contempt I stand here to answer a charge of wickedly and feloniously blaspheming the Holy Scriptures and the Christian religion. Why, if my prosecutors were not dead to shame, as well as sense, they

would blush to championize an idolatry which is the scandal—the deep disgrace of civilization. If there *are* gods and devils, leave to them the regulation of mere opinional concerns, leave to them the blasphemers of their omnipresences, there omnipotences, and their omnisciences, if blasphemers there are. In my opinion, gentlemen, the worst of all blasphemy is uttered by those who first imagine there are beings superior to themselves, and then ascribe to them actions which every man of decent feelings would rather perish than perform.

> "*See from the rending earth and bursting skies,*
> *Fierce Gods descend and fiends infernal rise,*
> *Here fixed the dreadful, there the blessed abodes,*
> *Fear made her devils and weak hope her gods,*
> *Gods partial, changeful, vengeful and unjust,*
> *Whose attributes were rage, revenge and lust,*
> *Such as the souls of cowards might conceive,*
> *And formed like tyrants, tyrants might believe.*"

Here gentlemen, we have compressed into eight lines "a whole history" of gods and devils. Both were spawned by odd fish, afflicted with idiocy. Fear and weak hope made the world superstitious. Those vices keep it so. Doubtless the whole course and character of your education has tended to breed in you a horror of atheists; but remember, gentlemen, the words of Dryden,

> "*By education most have been misled,*
> *So they believe because they've been so bred,*
> *The priest continues what the nurse began,*
> *And thus the child imposes on the man.*"

Remember that the opinions you have formed of those who see no reason to believe in anything more than the universe were opinions formed in early life; when feeling was strong and judgment weak "when the priest continued what the nurse began;" and the child thus imposed upon the man. Remember too that when sitting in solemn judgment upon the opinions of others, you are morally bound to examine them patiently and fully, for, with what face can you presume to decide as to the truth or tendency of opinions you don't understand. Now, permit me to say without offence, that Christians have sometimes from ignorance, but oftener from design, grossly misrepresented all their opponents, and particularly the Atheistical portion of them. Writers of eminence on the Christian side have not scrupled to declare that all Atheists are plotters against public weal, reckless villains who aim at nothing short of throwing society into a state of gross and brutal sensuality. But as an offset to the scurrilous accusations of such zealots I shall quote the great Bacon, who in his Essay on Superstition, tells us that "atheism leaves a man to sense, to philosophy, to natural piety, to laws, to reputation, all which may be guides to an outward moral virtue though religion were not; but superstition dismounts all these, and erecteth an absolute monarchy in the minds of men. Therefore atheism did never perturb states, for it makes men wary of themselves as looking no farther; and we see the times inclined to atheism (as the time of Augustus Cæsar) were civil times; but superstition hath been the con-

fusion of many states, and bringeth in a new *primum mobile* that ravisheth the sphere of government." Plutarch, too, in his treatise on the same topic says "the atheist seeth not the gods at all; the superstitionist believeth their existence, but at the same time their malevolence, when a man who believeth not that there is a God, endureth grief and distress he can wipe away his tears, cut his hair, and change his garments. But how can one accost the superstitionist, or can one sssist him? He setteth before his door clothed in sackcloth, or wrapped round in dirty rags. Oftentimes also he rolleth himself naked in the mire confessing certain sins and transgressions of his own, as having eaten or drunken something, or as having walked in some path which the spirit doth not permit. Even when he is at best, and is affected only by a mild superstition, he sitteth at home surrounded with frankincense and lotions, while the old women bring him whatever they meet with, and hang it (for a charm) upon him, as if, to use the expression of Bion, he were a peg." Again: "Is he guilty who supposeth that there are no Gods; and is not he afflicted with far more guilty opinions, who considereth that the Gods are such as the superstitionists suppose them to be? Hence I at least would rather that mankind should say of me, that Plutarch doth not, nor ever did exist, than they should say that Plutarch is a weak minded, fickle man, that he is prone to anger, soon disposed to revenge, and offended at trifle, and that if thou omittest to invite him when thou givest a dinner, or if, from pressure of business, thou dost not call upon him, if thou dost not address him, he will seize upon thee, and gnaw thy body, or catch hold of thy infant and beat him to death, or let loose a wild beast of his upon thy crops, and spoil thy harvest." Such, gentlemen, was the judgment of Plutarch, and mad must be the man, in or out of this court, who can conscientiously dispute its soundness; mad—*Bedlam* mad, must he be who would rather be spoken ill of than not spoken of at all; who would prefer universal execration to oblivion. Why then should those, who, not believing in a God, say neither good nor evil of him be held in greater detestation by Christians than the rankest superstitionists. That they are so, is notorious. The most crazy religionist, no matter how absurd his religion, is treated with some degree of courtesy; but woe to the unhappy wight, who neither accepts nor pretends to accept any religion whatever, for every where he is doomed to meet persecution in every variety of aspect. The God believer who makes of his idol a monster of iniquity—such is the horrid influence of religious frenzy—is rated by all *respectable* Christians, a much less criminal,—and in all respects an immeasurably better being than he who sees reality in nature and nature *alone;* and condemns as idly presumptuous, all *talk* about, and pure folly all *worship* offered to, a supernatural being, whose existence, if it do *exist*, is an enigma; whose ways are not our ways; whose nature is a negation of everything natural, and to whom qualities and powers are attributable either unintelligible or absurd.

I have now before me some notes written by an eminent Christian commentator, in one of which God is described as one undivided substance, the source of all intelligences, the power of all powers, the creator of all matter; who by his creative reflux gave being and form to all things—instinct to sensible creation, and understanding to man. Such are this learned Christian's words; but where, or what is their sense. Who *can*

understand the phrase going forth of the divine idea of informative power. *I can't;* and allow me to say my lords and gentlemen, without offence, *you can't either.* It is a phrase that may mean *something* or may mean *nothing;* for none can do more than guess what it means. We are admonished in Scripture that the grace of God passeth understanding, and "true it is and of verity" so doth the wisdom of those who style themselves his interpreters. Again, consider, too, gentlemen, the mischievous absurdity of calling God an undivided substance. Your God is a spirit, and to be worshipped in spirit and in truth, if gospel err not. Now a *substance* cannot be a *spirit,* any more than a *spirit* can be a *substance.* Indeed substance is *matter* or *nothing;* if *matter,* an undividedly substantial God according to Bellamy, created *all* substance, that is, *created himself!* If *nothing,* why God is nothing, or in other words, has no real existence; unless we use in these researches the liberty of mathematicians who gravely talk about degrees of nothingness, their nothing, *more* nothing, and *most* nothing.

The famous polemic, Dr. Samuel Clarke, allows that *nothing* is the only thing about which everything may be truly denied, and nothing can be truly affirmed; and yet Christian divines of reputation, men of influence and ability, do, in effect, teach that God is nothing; for, say they, he is not anything; he is love—he is a formative idea—he is a spirit—he is a divine mind. In short, my lords and gentlemen, I will not weary you by repeating what those learned Thebans say God is, or rather what he is *not;* for, in point of fact, though pretending intimacy with their creator, all the information thereupon, which they help their hearers to, is of an exclusively *negative* character. Practically, they agree with the immortal Cicero, that it is far easier to say what God is *not,* than what he *is*; for all that is heard from their inspired lips, amounts to a bundle of negatives. God is *not* material—he is *not* a person—he is a *spirit*; and if any one should be unspiritual enough not to know what a spirit is, and be forward enough to desire enlightenment, he is gravely told that spirit is not *matter*; and there, so far as the vouchsafed information goes, the whole matter ends. Those, therefore, who do not comprehend how a string of negetives can aid us in our search after a positive God, are *vulgarly* thought to be persons who obstinately shut their eyes against the truth. The famous Bonne, whose orthodoxy was without stain, *naively* tells us, "It is easy and agreeable to trust and believe, to doubt requires an unpleasant effort," and, upon that principle, which I deem a sound one, there can be no difficulty in accounting for the readiness to believe, at least, the readiness to *believe* that they *believe,* manifested by religionists all the world over. Undoubtedly it is far easier for any one to say he trusts and believes in incomprehensible doctrines or dogmas, than to doubt them, and the reason is, that Scepticism is the child of examination; but, to examine the doctrine and dogmas of priests, every one knows to be a laborious and profitless task. Well has it been observed, by the most able of modern doubters, (R. Dale Owen) that every sceptic, who has once been a believer, knows how painful is the task of calling in question long cherished opinions. From the time our infant ears drink in the nurse's ghost story, or listen to De Foe's immortal Fable, we *wish* to believe, and *do* believe without the trouble of suspicion, or the anxieties of suspense and examination. Youth learns to doubt and mistrust, slowly and painfully, after many a bitter lesson in the school of experience. Aristotle, my lords and

gentlemen, who has been styled the Prince of Philsophers, taught that, "Incredulity is the parent of wisdom"; but, alas! how different is the teaching of modern divines. So far from lauding incredulity as wisdom's parent, they denounce it as the child of the devil; and with perfect consistency, instead of attempting to convince the incredulous by arguments drawn from the nature of things, or, in two words, universal economy, they actively employ themselves to blight their prospects in this world; and cut them off from all chance of happiness in the next. *A priori*, it might have been supposed that Christians—believing in what they call divine authority, that there is more joy in heaven over one sinner that repenteth, than ninety and nine just persons—would incessantly employ themselves in the conversion of sinners, and leave the just to take care of themselves; but, no, in the very teeth of their God's teaching, they tread down the sinful, in place of stretching out their hands, and placing forth their whole strength in the good work of lifting them up. It was expressly declared by Christ, that the *whole* needed not a physician, but those that were sick; that he came not to call the righteous but sinners to repentance; whereas, the bulk of those who "preach his holy gospel" administer to the sound, leaving the sick to perish, or, worse still, maltreat them because they are sick; and, in lieu of calling sinners to repentance, rarely raise their "sweet voices" so high as to be heard by any, save the righteous. So thoroughly pharisaical is their spirit, that nothing to their view, is so shocking as Sadducism. Of that detestable spirit they are full even unto drunkenness; a species of drunkenness far more to be dreaded than any other. It may be called the drunkenness of bigotry, generated by the ardent spirit of religious fanaticism. All persecutors are spiritual drunkards, society's most loathsome pests; the disgrace of any church or party to whom they may ally themselves; and the scorn of good men. Such are those who rant and rave about blasphemy; who "set their mouths" against every act calculated to free their dupes from the shackles of superstition; who would much rather the wheels of civilization should move backward than forward; and with perseverance, worthy a better cause, clog, in the vain hope of stopping them. The intolerance, and bloody schisms which have destroyed millions of our race, are some of the bitter fruits of that accursed tree, which they, or such as they, have planted and tended; and yet, forsooth, *they* would be thought charitable, humble, truthful, and benevolent followers of him, who though spat upon, reviled, and buffetted, neither reviled, nor spat upon, nor buffetted others,—who, though a God, submitted to be cuffed, insulted, and put to an ignominious death, without so much as opening his mouth, like the lamb before the shearers. My organ of wonder, gentlemen, is not large, neither is it easily excited, but, I really do marvel greatly, that those who profess to venerate, should take so little pains to imitate the conduct of their incarnate God. If *his* conduct was *sheepish*, all I can say is, that *theirs* is perfectly *wolfish*; if *he* submitted, *they* make others submit; if *he* was *poor*, *they* are *rich*; if *he* was *persecuted*, *they* are *persecutors*; if *he loved*, *they* cordially *hate* truth. Gentlemen, the overturning of *error*, and the establishment of peace, truth and equity, I am convinced never can be achieved till all shall be freely permitted orally, or through the press, to announce their convictions with regard to *all* questions. Were religious men of every denomination in the world, to lay aside their bigotry; and, where practicable, meet and commune together

in the genuine spirit of an enlightened charity; a revolution unspeakably beneficial to the whole human race would speedily be accomplished. I am not, my lords and gentlemen, visionary enough to expect that if the earth were thoroughly purged of fanaticism it would become a perfect paradise, having no more faith in the nonsense preached by certain infidels about perfectibility, than I have in the nonsense preached by certain Christians about religion pure and undefiled. All associated bodies will be more or less corrupt in spite of everything that may or can be done by human agency, but they will undoubtedly become less and less corrupt, precisely in the ratio that just knowledge of nature is more and more diffused. Such knowledge is the only solid foundation of *morality*, by which I mean *just action*; and I oppose the world's religions because they appear to me demoralizing in their influence. About the nature and necessity of morality, there is little or no difference of opinion; but about the nature and necessity of religion scarcely two individuals can be found who harmonize in opinion. The famous Jefferson profoundly remarked in a letter to his friend John Adams, that those things about which all are agreed are probably right, and those about which all disagree are probably wrong. These words of Jefferson, accurately represent my sentiments. Let the many hostile religions said to be revealed from heaven be examined in any mixed company, and as if by magic the milk of human kindness is turned to gall—enmity and hatred take the place of friendship and love—nothing can be heard save crimination and recrimination, the language of insult triumphs in bitter malignity. If there is a God, and he is the author of Christianity, how *does* it happen that there is so much difference of opinion as to the essential character of that religion. Taking a common sense view of the matter, it seems *incredible* that the teachers of a divine religion should be unable to agree among themselves, but split up into a multitude of sects, each abusing and consigning the other to eternal perdition. If, as we are so often told, God *never* left himself without a witness in ages of thickest darkness, how happens it that in this age of brilliant light, *that* witness does not make his voice heard above the voices of all other witnesses. We live in a Christian country—a country whose renown has reached the extreme ends of the earth—a country which has outstripped all others in art, science, every thing in short *but* religion, for upon that subject she lags far behind. The reason is that the people of Great Britain find it necessary to *appear* religious, whether they are so or not; custom exacts—and who, as the dramatist sagaciously enquires, can resist its sway; that those who would improve their temporal concerns must *appear* to be much occupied with spiritual ones—depend upon it gentlemen, that if only the sincerely and disinterestedly pious were to frequent our churches and conventicles, the number that do frequent them would be vastly diminished. Aristophanes the great Grecian satirist, observes in one of his pieces that Plutus the god of riches, was the only god sincerely worshipped by his countrymen; that to him, and not to Jupiter, were altars raised and incense offered—in like manner it may be justly declared that in this country there is no god so sincerely adored as Mammon, for to him, not to Jehovah, are prayers offered and churches raised. Yes, gentlemen, the parties who worship Mammon are far more numerous even in this religious country than the worshippers of Jehovah—none can surpass them in devotion, hypocrisy,

or love of persecution. They are in sober truth the very persons who institute persecutions such as these. Being difficient of virtue, they hope to make up in fiery zeal for the interests of religion. As a sort of apology for their own misconduct, they furiously attack opinions such as mine, because being opinions hostile to popular prejudices, an attack upon them flatters those prejudices, and consequently is an easy mode of achieving popularity. Selfishness, arrant disgusting selfishness, is at the bottom of all such proceedings; the love of pelf and influence weighing far more heavily with such persecuting hypocrites, than love of religion. This breed of human animals will never become rational in countries where *Christianity* or other religion is part and parcel of the law of the state; in truth religion of every name and kind depending for its strength upon the weakness of mankind, is ill calculated to excite generous emotion, or stimulate to the adoption of enlightened and honourable practice. Cicero admirably observes in his "Offices" that of all those methods which tend to the advancement of our interest, there is none more proper and convenient than love, and none more improper and inconvenient than fear—for as it is very well observed by Ennius, "whom men fear they also hate, and whom they hate, they wish out of the world." Thus Cicero, who understood human nature *better* than our Christian judges appear to do, for they would have us love their God with all our heart, soul, and strength, and yet believe that the "fear of God is the beginning of wisdom;" whereas the great Roman Orator instructs us that nothing is more improper or inconvenient than fear, and quotes approvingly Ennius's sage remark, "that when men fear, they hate; and whom they fear, they wish out of the world;" so that those who worship a God they fear, however much they may *pretend* to love, must really hate, and wish him out of existence.

The poet Lucretius asks

> "*Why all do bow to somewhat as divine,*
> *Why every nation hath its proper shrine,*
> *Why all do temples build, why altars raise*
> *And why all sacrifice on sacred days?*"

I answer, because prone to error, as the sparks fly upwards, our race has *feared* there *might* be gods, and by building temples, raising altars, and offering sacrifices, hoped, if *there were any*, to curry favour with them by practicing such execrable tom-foolery. Truly, it is to lay up treasure in heaven, that pious fools waste their earthly treasure. None are more *intensely, savagely* selfish than these disinterested God worshippers; their *tender* affection for him, means eternal provision for themselves. Like the horse-leech, give, give, is their cry—give us this day our daily bread, oh God, and we will give you daily prayer. *Voila* the animus of ninty-nine of every hundred of those who bow down their heads like a bulrush before the altars of superstition! How different is the conduct of those who see nought save folly or hypocrisy, or both, in the worship of unknown existence, real or supposed. They are ever ready to exclaim with the sage Marcus Antonius "whatever is agreeable and consonant to thy system, oh universe! is so to me. Nothing is either premature or too late, in our apprehension of things, which is seasonable to nature and conducive to the general good of the whole. We esteem everything as advantageous, which the season

f nature produces, everything is from her, subsists by *her* power, and eturns unto her again." *This*, gentlemen, is the language of philosophy, npolluted by imaginative fictions; and such is the language and philosophy would bring within reach of the common people—of that vast mass of uman beings who are now suffered, or rather *forced* to drink in the oison of religious error. Not a single book of the many paraded in my ıdictment can be proved to contain a passage, or even a line not eminently ılculated to set readers a thinking, strengthen their judgment, and purify ıeir morals. If such course is likely to injure religion why the sooner it is ıjured the better. Any religion which depends for its existence upon the lence, whether voluntary or compulsory, of its opponents *must* be *false* and *orthless*. As Milton eloquently said, though all the winds of doctrine lay upon the earth, so truth be in the field, we do injuriously, to misguide er strength; and why Christians are so fearful lest the breath of free inuiry should blow on their religion I cannot otherwise explain than upon ıe principle, that though they pretend to think it true they really think it ılse; for no individual can be stupid enough to *imagine* that truth can ıffer "in a free and open encounter with error." Christianity is a true ·eligion or an overbearing imposture; many are convinced it is the former, hile not a few are as firmly convinced it is the latter. Opinion with regard) its merits being thus divided, it would surely be polite, decent and just n the part of Christians, to rely less on the strong arm of the law, and ıore on force of truth, than they are wont to do.

Thrice is he armed who hath his quarrel just, said the glorious hakespeare, and I believe it; but Christians don't appear to believe anyıing of the kind, for in the battle of opinion they uniformly display the eriest poltroonery conceivable. This prosecution proves that those who ıstituted it dread the march of *reason*, and having no faith in the power f Christianity to successfully resist its assaults; they are not honest enough) say so, but under the stale pretence of protecting public morals outıge public liberty—by appealing to the secular arm to decide questions of octrine. Instead of the armour of charity, they put on the armour of ıw, and thus go forth conquering and to conquer. Shame on such owardice, for moral cowardice it is of the rankest kind.

A writer in the *Times* newspaper lately announced with ludicrous omposity, that while religion had any vitality it would maintain its ıpremacy over philosophical principles. A priest of the new Oxford school f improtestantizing Christians could not have penned anything better *in s way;* but whether the people of Scotland are content that philosophy ıould be made the slave of religion, the pliant tool of priests, remains to e seen. It is perfectly obvious that our *modern* philosophy and *antique* ·eligion cannot coalesce or harmonize. It is *as* obvious, that an *opinionative* risis is rapidly approaching when Christianity, elastic as it is, must bend to hilosophy or break itself. I venture to prophesy thus much, though putıg in no claim to the prophetic spirit—nay more, I am morally sure that efore the lapse of ten years from this date, philosophy will so far have umanized Christians themselves that prosecutions for the publication of ıy *mere* opinions will have ceased for ever. Philosophy will make them *artily* ashamed of resorting to such *miserable* expedients in order to prop p their religion. Yes, gentlemen, the work of truth is progressing in

every nation in a greater or less degree, and the *interested* advocates of error can no more resist its advance than whistle back the *in* flowing tide. The obstacles which retard human improvement are the cunning devices which in ages of barbarism and blood, were imposed on the illiterate as divine religions, miraculously revealed to individuals at different times and in various corners of the globe. By means of those devices reckless enthusiasts like Mahomed assumed authority to dictate what their dupes should believe, or "be damned." To screen their impositions and secure their tyrannic influence, those holy cheats artfully prohibited the exercise of reason and free inquiry, teaching, that even to doubt the truth of whatever *they* nicknamed divine, was a crime only to be expiated by an eternity of torments; they have gone to such lengths in their peculiar labours of love, as to render our rational faculties rather a curse than a blessing, and absolutely useless with regard to what they call *faith* in their religions; for should the result of rational inquiry militate against religions, particularly that called Christian, the inquirer will be reduced to the painful alternative of believing that which shocks reason, or according to the priests of that religion be damned for not believing in it, which demonstrates that our rational faculties are absolutely useless in the articles of faith in the Christians religion and of course equally so in all other miraculous religions. Christians then are very inconsistant in expecting men of sense and reflection to embrace their religion, since it could only be effected by the light of reason and rational demonstration. If these are the means they intend to employ for converting the heathen or the infidel, my word for it, they never can succeed except with those imbeciles who when agonized by terror can be made to believe, or say they do, any tales however wild, incoherent and extraordinary. Rather than be damned, such "lumps of earth and phlegm," would readily credit that rainbows are fiddlesticks of heaven's fiddle, or such other nonsense as their inspired guides may desire to cram them with. I lay down as axiom incontrovertible that *no* religion can bear the test of truth, for truth is the invisible image of visible realities; whereas, what is called religion's truth is an image of nothing but the distorted imaginings and wild conceits of morbidly energetic brains. Prejudices of education may cause millions to retain the errors they imbibed in their infancy, but the greater part of mankind are too enlightened to receive a new dispensation of falsehoods, or much longer be duped by the illusions of knavery and priestcraft. To the crowd of mankind may justly be applied the words put by Moore into the mouth of the veiled Prophet of Korassan:

> *"There ye wise saints, behold your saint, your star,*
> *Ye would be dupes and victims, and ye are."*

As darkness is the genuine element of falsehood, it follows that traders in human credulity, whose kingdom, according to their own special cant is not of this world, make the largest number of converts in the least enlightened parts of the globe where intellect has made but little progress owing to the imposition of priests and prophets, the want of intercourse and commerce with the enlightened parts of the world, and the cultivation of those arts and sciences, which exercise reason, enlighten the understanding, and weaken the pillars of superstition. But light and truth, are the

glory of philosophers who are ever ready to receive knowledge, or to diffuse it; but reject as fabulous the doltish stories knaves have palmed upon fools as God-born truths—of *such* truths they are not ashamed to declare with Socrates, "they only know, that they know nothing." They see no earthly use in the many volumes written about heavenly concerns, but, on the contrary, enormous mischief. They would fix attention upon this world of which we have at least *some* idea, in order to divert it from other worlds of which none have any idea, and instead of bewildering their fellow creatures about duties to a God of whom they have not a single rational conception, they would fain teach them their duties to each other and enable them to perform them. In answer to those who tell us God is angered if we do not glorify him, I shall quote some passages in one of the letters addressed by Robert Dale Owen, to his opponent the talented Origin Bachelor, "As regards the glory of God my opponent and myself it seems, feel very differently—were he the creator of caterpillars, endowed with reason, he would make them, he thinks, honour and adore him; and *as* an inferior can honour a superior he would feel himself honoured by their adoration. He would also cause (or permit) them to sin that his own glory might be increased; able to render them perfectly good and happy, he would prefer to make them vicious and miserable, that he might evince his mercy in the remission of their vice, and his justice in their punishment; strange indeed must it appear to those who have not watched the aberrations of human reason, that any sane mind should conceive, and should imagine it finds comfort in conceiving such a God as this. *Every* idea of *wisdom*, of justice, of disinterestedness, of benevolence (according to my feelings) is outraged in the conception. Could I believe in such a Deity I should be a miserable mortal. To live under an earthly tyrant who derives reverence from tolerated vices and seeks his glory at the expense of the peace or the life's blood of his vassals, is a sufficiently wretched fate. To imagine *one's self* the subject of a heavenly autocrat, who seeks to gain glory, not to give happiness is far, far worse. Happy the man who escapes from the fears and the thraldom of such a conception. If this were the character of the creator of the universe, of a being thus vain-glorious and jealous, thus 'angry with the wicked every day,' and indeed the monarch of the skies, of a truth the text were appropriate that tells us "it is a fearful thing to fall into the hands of the living God!" The rack of the inquisition were but a paltry foretaste of the tortures that await the miserable victims of the *eternal* auto-da-fe. Time, is it, more than time, that phantoms so appalling should fade away before the light of reality. Enough and more than enough of fear and misery, and tyranny have we already in the world, without conjuring forth from the prolific regions of fancy, monstrous shapes to worship, and inconceivable attributes to adore. Let us not cast our dreams, and our fears, and our sophisms into the bubbling cauldron of imagination, thence to concoct an idol which we ourselves, its creators, fall down and abjectly venerate as did the heathen of yore, their molten gods. Let us follow *human* virtue; let us seek *human* happiness: let us speculate in *human* phenomena. If gods exist, their ways, their thoughts, their doings have nothing in common with ours. We cannot hear them, see them, feel them, imitate them. By searching we may not discover them; they and their ways, as the holy book of Christians tells us, are past finding out." There is no sophistry here

gentlemen, nothing unreasonable palmed upon you; for the Bible, that book such of you as are veritable Christians think divine, rebukes the senseless presumption of such of its readers as pretend to comprehend an incomprehensible god. Would that those unhappy specimens of humanity could be so far consistent with themselves and their Holy Scriptures as to cease searching after a god past finding out, and act upon the wise principle laid down by the wise Socrates, that what is above us don't concern us. Did they thus act, earth which is now a moral desert would speedily assume a new face "the wilderness rejoice and blossom as the rose." All *would* then follow *human* virtue; seek *human* happiness: and speculate on *human* phenomena. They would mind their own business and leave the gods (if there are any) to mind theirs. None would then be found to imagine an inhuman being, with worse than the worst attributes of earth-born tyrants, and call the monster *God!* A predestinarian, after describing such a god, was asked by a stander by to speak worse of the devil if he could; which it must be allowed would have been extremely difficult for him to do, yet those who thus speak of God are most forward to call blasphemers persons who say nothing about them, for the excellent reason that they know nothing about them, and without doubt if there is a God he is better pleased with those who sincerely express their ignorance of him than the noisy curs who whelp out this, that, and the other respecting him; giving him a character, Satan, if a real personage, would be heartily ashamed of. Nor is it merely with respect to God that Christians are so outrageously absurd and horribly irrational; but their whole conduct in the matter of religion bears upon it "the mark of the beast;" see the pains they take to screen their fabricated revelations from the light and test of reason and keep them hid in darkness by asserting that the accounts of revelations, visions and miracles, said to be exhibited in the days of witchcraft and magical wonders afford greater light and authority for the ground and inculcation of religions than reason. A moments reflection is sufficient to enable us to see that accounts of things not natural cannot enlighten intellect because no human brain can have a rational perception of them, and therefore blind implicit faith in these accounts is commanded. To say nothing of the accounts themselves it must be admitted by every sane person who has turned his or her attention to them, that the *manner* in which they were foisted upon the world is very unfavourable to their credit or authority. In 2nd Kings, 22nd chap. also in 2nd Chronicles, 34th chap. it is written that Hilkiah the high priest said unto Shaphan the scribe, I have found the book of the law in the house of the Lord, and Hilkiah gave the book to Shaphan, and he read it, and Shaphan came and read it before King Josiah, who was then in his 18th year, and who began to reign when he was eight years old, the king rent his clothes and sent Hilkiah the high priest and Shaphan the scribe and Ahikam the son of Shaphan, and Achbor and Asakiah a servant of the king's unto Huldah the prophetess who dwelt in Jerusalem, in the college, to inquire of the Lord concerning the words of the book that was found; and the prophetess bid them tell the king that the Lord would bring evil upon the place and upon the inhabitants thereof, even all the words of the book which they have read before the King of Judah. But to the King of Judah who sent you to inquire of the Lord, thus shall you say to him, because thou hast humbled thyself, and hast

rent thy clothes, behold therefore I will gather thee unto thy fathers, and thou shalt be gathered unto thy grave in peace. But unluckily for the king this prophecy turned out a falsehood, for he went to war with Nicho, King of Egypt, and the archers shot at King Josiah, and sorely wounded him, of which he died, as may be seen in 2nd Chronicles, 35 chap. 23 and 24 verses. So much gentlemen for the credit of the college prophetess, on whom the king and the high priest had to depend for authority to enforce their book upon the people. The king we are farther informed sent and gathered unto him all the men of Judah, and all the inhabitants of Jerusalem small and great, and he read in their ears all the words of the book which was found in the house of the Lord, and he caused all that were present to stand to it. Then commenced the destruction and overthrow of the established priesthood in the cities of Judah which the curses that were written in the book was designed to effect, through the influence of the self detected prophetess and superstition of the people; the king slew all the priests of the high places upon the altars and burned them, that he might perform the words of the law, which were written in the book that Hilkiah the priest found in the house of the Lord. The circumstance of there being no mention of the loss of any book, prior to a book being found, the inexperience and credulity of the young king, the apparent artifice in procuring the sanction of the false prophetess, the simultaneous revolutions, destructions, and massacre in consequence of the book, and the same state of things having alternately existed through a long succession of kings, good and bad, for several hundred years prior to finding the book, leave no room to doubt of the book being a fabrication of Hilkiah the high priest and his scribe. This then is the manner in which the Old Testament was first introduced; to which has been added a confused mass of whatever the dark ages could afford. Surely such a book is a despicable foundation for us to depend on, for light, knowledge and happiness; yet such as it is, it is the foundation of the Christian religion; *that* religion which Her Majesty's advocate pretends it is wicked and felonious to attack or deny. Why, gentlemen, it is downright lunacy to look into mutable books for the immutable word of an immutable god. None but religion-struck individuals would ever dream of looking for God's in man's writings. Why? it may be asked; to which question I would answer, because the word of a god should be ever the same, which it cannot be when conveyed in human language, which from its very nature is fallible; that is, not exempt from and of course liable to, error. That the Christian's Bible abounds in mistranslations is a fact too notorious to admit of dispute, and that one fact, if no other could be adduced, is itself sufficient to overturn all faith in it, considered as a divine record. Do not imagine gentlemen that I am not prepared to substantiate the assertion just made. Be not deceived in the matter; I say the Bible, that authorized version translated and printed by order of James the First, is full of errors. Let me establish this point by reference to respectable Christian authorities. The reverend John Wesley said "our common English translation, though the best I have seen, is capable of being brought in several places nearer the original." Blarney declared in his preliminary dissertation to Jeremiah, that the common version has mistaken the true sense of the Hebrew in not a few places. Professor Symonds in his observations on the expediency of revising the present version, candidly admits that whoever will examine

the version now in use will find that it is ambiguous and incorrect even in matters of the highest importance. Dr. Kennicote, in his celebrated Remarks, says "great improvements might now be made in the Scriptures, because the Hebrew and Greek languages have been much cultivated and far better understood since the year 1600." Lowth, in his preliminary dissertations to Isaiah, speaks of "that *necessary* work, a new translation of the Holy Scriptures." Durell in his learned criticisms on Job plainly avows that the version now in use in many places does not exhibit the text, and mistakes it, besides, in an infinite number of instances. The learned Pilkington informs us, that "many of the inconsistencies are occasioned by the translator's misunderstanding the true import of Hebrew words and phrases, shewing the benefit and expediency of a more correct and intelligible translation of the Bible." Doddridge in his preface to the "Family Expositor" informs us that the Old Testament has suffered more than the New in our translation. Waterland tells us in his "Scripture Vindicated" that our last English version is undoubtedly capable of very great improvement. Blackwell, too, in his "Sacred Classics" says innumerable instances might be given of faulty translation of the divine originality. There, gentlemen, it is decided, the most learned Christians themselves being the judges, that their God's word is very faulty; that it abounds in inconsistencies, improprieties and obscurities; that it is not defective in matters of small concernment *merely*, but ambiguous and incorrect even as regards points of the greatest importance. If so, and who can doubt it, who in his sober moments, though it be called the word of God, can accept it as such? Who can muster credulity enough to believe that a book abounding in blunders was written by inspiration of the almighty? Let those who can, accept the fictions, I cannot. Consider besides the gross irrationality of both Jews and Christians. The Jews proclaim themselves the only people to whom God has revealed himself, and that they are, or were, authorized to extirpate all other nations, as heathens; and that they had the *inclination* to do so, their horrid massacres leave no room for scepticism. The Christians in their turn proclaim themselves the only favourites of heaven, and that God has given them the only name whereby man can be saved, and authorized them to compel mankind to receive their doctrine. Their pious crusades and holy wars has convinced all but themselves, that nothing is wanting to satiate their intolerant spirit of superstition but power. Were Christians capable of rational reflection they would be ashamed of books in which an impartial God, who made no distinction of persons, is represented selecting as his favourites the people of one petty nation; then making favourites of a particular denomination and alternately changing his "immutable laws" in every transfer of his favour. It is really shocking to every unprejudiced person, and nothing but the gross darkness in which the vulgar have been kept by sacerdotal impostors, hinders even them from seeing through so vile an imposition. The Jews who we are told in their own Holy Scriptures revolted from Pharoah, and at midnight massacred and robbed the Egyptians, were about six hundred thousand in number, exclusive of children. It seems to have been part of their barbarously superstitious policy to destroy all the tribes and nations of the fertile and extensive country which they fled *to*, *from* the vengeance of Pharoah. They were headed, so the tale reads, by Moses and Aaron,

who, desirous no doubt of acccommodating themselves and the vagabonds who followed them with the good things of this life without the honest means of industry to acquire them, induced the Israelites to believe that some unknowable being they called Jehovah, and a pleasing variety of other names, had commanded them to extirpate the inhabitants of Canaan, "a land flowing with milk and honey," and take possession of the country. The vagabonds elated with the alluring prospect, and maddened by superstitious enthusiasm, rushed like a horde of ruffians on the peaceable inhabitants, slaughtered them and coolly took possession of the fruits of their labours, in the name of a just, benevolent, all seeing, all knowing, all doing God, whose tender mercies, are over all his works. After those merciless and fanatical vagabonds had lost all power and were sunk into the most abject condition as a nation, and no prospect of regaining their power remained, then it was that the Christian conspiracy originated. Its originators availed themselves so dexterously of the divinity, or divine science of philosophy, together with fabricated accounts of gods, goddesses, and mothers of gods; that in the space of about three hundred and fifty years from the destruction of Jerusalem by Titus, they completed the fabrication of the "New Testament." The Christians at first being destitute of power, and having no use for the Jew's God of rapine, slaughter and persecution, dismissed him and his laws, but could not get their *new form of paganism* established until more than three hundred years had elapsed when they were indebted to the sword and atrocious persecutions of Constantine for that *coup d'etat.* As Constantine commenced his Christian career in oppression it is very unlikely that his motive for placing himself, at the head of the Christians could have been of a pure nature. The Reverend T. Haweis, in his impartial history of the church of Christ, says that "he waded to empires through seas of blood; his nearest relatives were sacrificed to his ambition; nothing in his whole life discovers a trace of real conversion to God." Such is the picture drawn by a Christian of the pious emperor who established Christianity. And Munday in his "Celebrated Christendom in Confusion," says Constantine's perfidiousness in putting to death Licineus (a sovereign prince who had surrendered himself a prisoner of war) in violation of his oath, that his life should be spared, together with his cruel jealousy in putting his virtuous son Crispus to death without a hearing prove that he was a tyrant. "He was," adds this author "a violent persecutor" and commanded that in all the provinces of the Roman Empire, the orders of the bishops should be obeyed, a privilege which they made a *horrid* use of. Thus it is seen that Christianity, in its establishment, has no pre-eminence above Judaism or Mahommedanism, which were also established by tyrannical power. When such facts as these, gentlemen, are vouched for by the page of history—when they are notorious as the noonday sun, I do not see how the conclusion to which all my reasoning points, is to be escaped. Her Majesty's advocate marvels that I should think Christianity a cunningly devised fable; and I marvel greatly that any educated individual can be found in this age of science and discovery capable of supposing it divinely concocted truth. To me it is astonishing that any one should seriously believe that millions shall be damned for not believing the vague accounts of miraculous works, which were rejected with scorn by those whom the accounts say saw them performed. A more

glaring absurdity cannot be advanced; it carries its own stigma and refutation. It would be much nearer consistency to reverse the case and say that rational beings, or beings pretending to rationality, shall be damned for not exercising their reason; rather than debasing their nature by believing monstrous things on the credit of vague contradictory accounts, the origin or authors of which are unknown. We are told that certain men named Matthew, Mark, Luke and John, wrote the accounts to which these names are prefixed; if so it must be admitted that they wrote them from vague reports, since had they written them from their own knowledge they could not have disagreed with respect to facts. But Luke has settled this matter beyond all controversy and has moreover asserted a palpable falsehood with respect to his eye witnesses, for, as their accounts are contradictory on matters of fact, they could not have been eye witnesses. Luke commences his gospel account as follows, "Forasmuch as many have taken in hand to set forth in order a declaration of those things which are most surely believed among us, even as they delivered them unto us, which from the beginning were eye witnesses and ministers of the word." The fact then, gentlemen, is fully established that the gospels are compiled reports which many had taken in hand to set forth in order as they were "delivered" unto them, but not by eye witnesses, though Luke asserts the contrary. With respect to miracles about which theologians make such a fuss, if *those* who, it is said, not only saw them performed but partook of their fruits, did not believe, how in the name of common sense can it be required or expected that men should believe who never saw them performed, nor anything like a miracle during the lapse of eighteen hundred years; nor an account of anything of the kind since the age in which false judgments, false miracles, visions, ghosts, and witchcraft make up the bulk of uninstructive history. If infidelity to such tales be wickedness and felony, I not only *am*, but *glory* in being a wicked man and a felon. But, gentlemen, what is infidelity? what is that state of intellect Her Majesty's advocate, in his tender care for public morals, has stigmatized as wicked and felonious. Infidelity cannot be defined as one general condition of intellect, but simply as one in relation to some other condition. For instance more immediate, Catholic and Protestant, Calvanist and Methodist, Trinitarian and Unitarian, and, more remotely, Judaism, Mohammedanism, Christianity, Deism and Atheism are alike Infidelities, and *vice versa*, in relation to each other, and in general relation to the antecedent Paganism. Set up any set of opinions as a standard of orthodoxy, and whatever dissents or differs from them, are so far infidel. When the Earl of Sandwich asked the renowned Bishop Warburton, what was meant by the terms orthodoxy and heterodoxy; "Oh," replied the latter, "orthodoxy, my lord, is *my* doxy, and heterodoxy is some *other* man's doxy." And just so I reply to Her Majesty's advocate's absurd jargon about heterodoxy or infidelity. Orthodoxy or true religion is his doxy, and heterodoxy or infidelity to his, as well as all other true religion, is my doxy; and notwithstanding the mass of eloquent verbiage with which the court has this day been treated, I am yet unconvinced that the learned advocate's doxy is one wit more, nay, so respectable as mine. The spirit of infidelity, then, I define to be the spirit of dissent that criticises and selects, that condemns and rejects any part of an existing system, and that respects *nothing* merely

because it is established, or because it is written, and *anything* that is consonant with the current understanding of truth. Infidelity does not, as is popularly imagined, imply the adoption of any system, and consequently it has nothing to defend but its principles of free inquiry and free discussion, but the principle of open and avowed infidelity is that of openly expressed dissent from established dogmas. It is the dignity of man, as Richard Carlile well said, in 1830, that asserts the right of conscience, of private judgment, of free thought and free speech. It is everything that has passed under the name of dissent. It is honesty; it is boldness; it is freedom; it is hostility to tyranny and hatred of servility and slavery. No man rejects *truth* wilfully, as Plato long ago asserted; though many *pretend* to reject it from motives of convenience, or interest. There are without doubt thousands of Infidels in this very city, orthodox as it is; and blessed as it is by so religiously moral a law officer as Her Majesty's advocate; who are afraid to let their infidelity be known; persons who cry a fig for truth if it is to be purchased at the expense of station and profit, and act with admirable uniformity upon the fashionable principle that the public is a goose, one at least of whose feathers it is a wise man's business to pluck. Hypocrisy, hypocrisy is the order of the day; and let no one be amazed thereat, for, in a country where the honest expression of infidelity to established creeds is treated as wicked, even unto feloniousness, while professing adherence to them opens the only road by which talent can travel to honours and emoluments; none but fools can look for unbending assertors of truth, who prefer poverty with a self-approving conscience to splendour and authority without it. Hobbes well said "when truth is against a man, he is against truth;" and it is just because truth is this day against Her Majesty's advocate, that he is so out of humour with truth; raving away against it for no other reason I have been able to discover, than the sufficient one that 'tis against him. Remember this fact gentlemen when considering your verdict; remember too the explanation of infidelity lately given, for that explanation demonstrates the absurdity as well as injustice of prosecutions such as these. Before concluding, there are one or two more particulars vitally affecting Christianity, to which I feel bound to call your attention. One is its Pagan origin, of which the researches of Dupuis, Volney, Drummond, Taylor and Higgins furnish numerous and satisfactory proofs. Another is, the more than thousand years of mental darkness which followed close upon the establishment of Christianity. First then, as to its Pagan origin. Doubtless gentlemen, many of you were at a loss to understand what I meant by saying, in an early part of this defence, that the present form of Paganism, known as Christianity, was made a state religion at a certain period; and by very equivocal means;—but what I have now to advance will make all that plainness itself to the least sagacious among you. It is not a new fangled doctrine I am about to advance, but what an able modern author has properly called "a great theological truth worth all the *rubbish* of religious history put together," namely that there has in reality been but one God, and one religion among mankind; that there never has been any new religion or religions fundamentally new and original; and that there has never been any sudden change in the name of the common religion, its ceremonies, or its God. The great secret, as shown by the learned authors just named—the secret of all the secrets that have puzzled the

uninstructed, is the secret, that all the religions of the earth have been alike in their essentials; that all religionists have worshipped one common source of divinity; that they have been allegorically right and true, but historically and literally wrong and untrue. The gods were right and true as allegorical principles of things existing: of cause and effect; and all wrong and fabled, as similitudes of human passions. The cunning and the learned, say these authors, have understood the secret, and the vulgar have ever been its dupes, and by it made miserable. They have shown that the Pagan religion was nothing more than a splendid attempt to reduce to similitude the then known principles of nature, or causes and effects as they were found to exist. And though it has been called idolatry, though it undoubtedly was idolatry, it has been the best and most useful kind of idolatry that has existed, and not more idolatrous than any so called new religion which succeeded. It is undeniable that Christians have been in the habit of attaching ideas of idolatry to the names of any gods that differ *in name* from their gods. They have named their own gods, Jehovah, Emmanuel, Jesus Christ, Holy Ghost, Devil; or God the Father, God the Son, God the Holy Ghost, blessed spirit, God the Devil, evil, cursed or wicked spirit. The Christian supposes that these names stand for certain real and now existing beings; and great is his astonishment when told that there is not one of them now existing, or that ever has existed as an identical being. Like the Pagan idols, they are mere personifications, or similitudes of natural principles; and moreover they are but mere copies or translations of names given to the Pagan idols. The word Jupiter was used by Greeks and Romans in the sense of God the Father, sometimes they called him Jove, which is but another variation of Jehovah. Jehovah as pronounced by Hebrews, sounds like our pronounciation of the letters y-a hou-ah; which combination of letters is itself but a varied pronunciation of Jo yao or Ju, which Ju placed before the latin word *Pater* (the English J being unknown to the Asiatic ancients) gives us Jupiter; that is God the Father; strange as to your ears, gentlemen, it may sound, the word Jew and the name of the country Judea are from the same derivation. The Asiatic mode of expressing the word Jew would correspond with the Jewish pronunciation of the name of God, Yahouh or Yew. The land Judea is also an expression of that land consecrated to the God Jo, Yahouh or Ju; and is a modern name given to a small spot of earth, just before the Christian era, and was a part of the surrounding desert in and through which the monks of Egypt were allowed to spread themselves, and form their various sects in the name of the common God of mankind. Such, gentlemen, I feel authorized to state was the origin of the name Judea, such the origin of the name and people called Jews, and such the origin of the Christian religion. The name Jew then, you will perceive is derived from a peculiar manner of expressing the name of God, and a sect was so called, just as the name of quaker, shaker, jumper, ranter, methodist has been derived from a religious peculiarity.

The late Richard Carlile, to whom I am largely indebted for information with regard to this interesting topic, in a letter he wrote about thirteen years ago to the Rev. I. B. Emmett of Hull, Yorkshire, asserts first, the priority of Christianity's existence as Pagan in all its essential parts, including name, character, and principle, both moral and fabulous; second, its poste-

riority of known existence in all its relations to the country of Judea. The reasons by which, in that letter, he supported his novel and startling assertions, are so brief, yet so cogent, that I shall give them entire, "The *a priori* arguments, said he, are, that the two words, Jesus Christ, are titular and nearly of the same meaning, and both appelatives common to the Pagan Mythology. Bacchus, Hercules, Apollo, Esculapius, Prometheus, and Mercury have been distinguished as Jesus or Saviour. There is nothing new in the name or title, nothing new in any of the narratives, principles, or ceremonies of the Christian in relation to the Pagan religion. Researches have been begun by Dupuis, Volney, and others, and are now carried on by Rev. Robert Taylor, which go to prove that the whole principle of religion, Christian, Jewish, or Pagan, is nothing more than allegorised astronomy,—in other terms, a personification of the planetary, physical, and mental phenomena, having no true relation to human history. Such allegories have been the work of poets, prophets, monks, and priests, and received as literally true by the vulgar and ever-deceived multitude. Such there is ample reason to believe was the distinction between the *eso*teric and *exo*teric doctrines of the Pagan Priests. Such the secrets of all the ancient mysteries, and as far as anything is known of that modern corruption called "Freemasonry." What more than we at present, could our ancestors see, find, or know of which to make a religion? Owe we not their religion to their ignorance, and our dissent to our knowledge? The stories of Chrishna and Prometheus have so many resemblances to the story of Christ, as to afford an evidence that the latter is not original, but a mere version of a part of the old Pagan Mythology. The a posteriori objections to the vulgar idea of Christianity, are as follows—the Augustine age is the time stated for the origin of the Christian religion in Judea. To make this statement valid, it should admit of historical tracing up to that time, and no higher. Philo Judeas of the first century, has recognised Christian religion as Pagan; but not in its Jewish dress. This seems fatal to the gospel pretensions. Josephus of the first century, the famous Jewish historian, being silent on the Jewish claims of the gospels, is another fatality to their *historical* truth: whilst the interpolation in his work on the subject, serves but to strengthen that fatality: These, that is, Philo and Josephus, are precisely the men from whom we reasonably expect an account, if the gospel narrative be true. They lived at and over the time assigned to the Ministry, Crucifixion, Resurrection and Ascension of Jesus, if not in Jerusalem, in the immediate neighbourhood. The one incidentally, and the other designedly, writes the history, and more especially the religious history of their time; but not one word do they say of Jesus of Nazareth, or of any new religion springing up in Judea. Pliny the Younger is the first whose writings now remain, that mentioned a religious people worshipping Christ or God. This relates to Bythnia, and the notice as Pagan, has no relation to the name of Jesus, nor anything connected with Jesus or Judea, The date of this notice, according to Lardner, is 106 or 107. To Gibbon 110 or 111. As I shall hereafter show other Pagan Christians, I will class those of Pliny with them, or as supporting the argument a priori; Tacitus comes next; and Gibbon, by calculating at what age he wrote that part of his "Annals," gives the date of 120. The passage in Tacitus gives a Jewish origin to the Christian religion, gives it both date and locality in Judea, corresponding with the received date; and if it be defensible, a strong

point is made out for the truth of the historical narrative of the gospel. Its defects are, that Josephus who wrote his history at Rome forty or fifty years earlier, and so much nearer the time of which Tacitus is made to find Christians at Rome, following the alleged martyr at Judea, has no mention of such a circumstance; but describes them as Jews, who were persecuted by Nero. Pliny also, in his letter to Trajan, describes a total ignorance of the character of the Christians until he meets them in Bythnia. Had they existed and been persecuted in Rome, as Tacitus is made to narrate, Pliny, as an experienced lawyer, would not have declared such entire ignorance of them. If the argument be valid that the passage in Josephus, relating to the Christians, is an interpolation which critical candour now generally allows, the same argument has a fourfold stronger application to the passage in Tacitus. The passage in Josephus is found in the time of Eusebius, and the objection to it is, that it was not known or referred to by any of the Fathers before the time of Eusebius; while the passage in Tacitus, which would have suited the purpose of Eusebius as well as that interpolated in Josephus, is not produced until the fifteenth century; nor does the authority of Suetonius support that of Tacitus: for in speaking of riots and tumults in Rome in the time of Claudius, he speaks of Jews, only, who followed one Christus, making no reference of the case to Judea. We have no other Pagan authority of the second century in reference to the present version of the Christian religion, for the Celsus whom Origen professes to refute, is more likely to be of the third century, and I am not aware of any authority to connect him with the second. We know nothing more of him, than his opponent Origen has pleased to tell us, and a *love* of truth is not a visible feature in any one of the Fathers of the Christian Church, Origen not excepted. If we look at the New Testament, which had no distinctive authority until the time of Origen, or the third century, we cannot clear up any of the foregoing difficulties, but we can add to them. The books are without dates, or references to dates, so as to give the actual time at which they were written. The Acts of the Apostles, the Epistles, and the Book of Revelations, do not refer to, or support the authority of any of the four gospels; while the Epistles of Paul, in many instances, declare against them; such as in the concluding part of that to the Romans, and in the beginning of that to the Galatians. There is now a common admission among the more critically learned, that neither of the four New Testament Gospels is an original; but that they are varied copies and quotations from some one or more nearer the original. So that nothing is proved, nothing established by any known past or present documents referring the origination of the Christian religion to Judea. The summary is, that in the Jewish dress which it now wears, the Christian religion cannot be historically traced into the first century of our present era. In a Pagan dress it may be traced many centuries higher. Its Jewish distinction is not found anywhere before the period at which Judea was finally desolated. Its Pagan distinction may be traced through the whole record of that mythology. Its Jewish character has introduced nothing new, nothing but what was known and in practice, as moral and religious ceremony among the Pagans for centuries beyond the Augustan age. These considerations are, if valid, fatal to all the present distinctive claims so rashly put in for the Christian religion. Such, gentlemen, are *my* convictions. The reasonings and arguments are here adduced, which I think amply justify them. Her Majesty's advocate perhaps thinks differently.

Who should judge betwixt him and me? The public assuredly; but even the public has no moral right to do *more* than judge: for the instant it meets opinions antagonistic to those in vogue with a *brutem fulmen*, that moment it steps beyond its legetimate province. Undoubtedly an overwhelming majority think the opinions I hold, and am cited here to answer for circulating, are profane, impious, and demoralising. I do not complain of that majority for thus thinking, but I do blame them for attempting by their agents to put down by bad laws what should be overcome by good argument, or, to use their own language, to meet the foes of their faith with carnal instead of spiritual weapons. No majority, however large, has any moral right to coerce the consciences or compel the silence of a minority, however small. Legislation should busy itself with action, not mere opinion; protect all in the honest expression of their sentiments and dictate none. There is no tyranny so intolerable as that which you are this day called upon to exercise. You are called upon to decide whether the books I freely acknowledge to have published, contain truth or falsehood—and upon that decision hangs my liberty. Was ever any tyranny so monstrously absurd, as well as wicked. I say absurd as well as wicked; for 'tis the very quintessence of absurdity to see a number of Christians, who are expressly told by him they venerate as an incarnate God, to judge not, that they be not judged—sitting in judgement upon a fellow mortal for daring to publish opinions different from their own. I am quite at a loss to understand how you, gentlemen, who are now ranged before me, can be fit, nay, infallible judges of speculative, or even practical opinions. If like the Apostles you could work miracles, and could *not* fall into error, then you might be competent to decide whether my speculations with regard to the incomprehensible, are either better or worse than those more orthodox persons indulge in. Fools rush in where angels fear to tread, quoth the proverb, and really juries who have the ludicrous effrontery to sit in judgment upon the consciences of their neighbours, and determine that this is pleasing and that displeasing to the Almighty God will illustrate the proverb. My candid opinion is, that any twelve barbers' blocks would be just as competent to decide upon incomprehensible subjects, as any twelve jurymen, taken at random from the shops of this city. Talk of bringing Christianity into contempt; Why none are so successful in that department of human industry as Christians themselves. If I were asked who in Scotland had done most to draw down hatred, as well as contempt upon the Christian religion, I should answer at once Her Majesty's advocate. He has played the part of a rash, foolish, and mischievous boy, who for lack of sense, or something better to do, disturbs the hornet's nest, never dreaming to be rewarded by a good stinging from a host of those insects. Yes, Her Majesty's sapient, if not moral advocate, has gratuitously thrust his learned head into a hornet's nest, or something far worse. To convince him of the miserable predicament in which he has placed himself, and the damage he has done to his true religion, I do not expect; well assured that he belongs to a certain class of persons, who, if brayed in a mortar, would come out the same "daft folk" still. But from you, gentlemen, I have a right to look for something better, something more in harmony with the boasted spirit of Christianity, than Her Majesty's advocate has exhibited. There are Christians and editors of newspapers to, who denounce prosecutions, such as this, of which

it is intended I shall be the victim, in terms no less strong than the strongest I have this day used. In a recent number of the *Dundee Herald* are these following words, "If a man is so daring as to publicly declare that the Christian religion is a mere cheat, what has his neighbour to do with it—vengence is mine, saith the Lord." Vengence is mine, saith the man; Which of these declaratious are we to believe? If the first, man is a usurper and liar. If the second, God is the author of a lie. Now, gentlemen, the only possible way by which you can escape one or other horn of this dilemma, is by quashing the present prosecution; for if you return an adverse verdict by that very act you in effect say, vengence is ours; which the writer of the *Dundee Herald* quite properly warns us is making God the author of a lie, for he declared, if the Bible err not, "Vengence is mine." Pause then, before handing me over to the secular arm; weigh the consequences, not only to me, but to yourselves, of such conduct; for if there is a God in heaven, or elsewhere, who created the world, and the Bible is his revelation of himself, you have *far more to fear* in prosecuting, than I have in being prosecuted. Depend upon it that if there is a hell those who take *God's* proper business into their own hands will be thrown into it; but as to sinners, of whom, like St. Paul, I may account myself the chief over them, if lucky enough to repent, it is written, there will be more joy in heaven than is to be shared among ninety and nine who are more just, but less fortunate. I do therefore recommend you, gentlemen, to show the world, by returning a unanimous verdict of acquittal, that you detest the persecuting spirit, and are ready say to with Pope:

> *"Let not our weak unknowing hand,*
> *Presume thy bolts to throw;*
> *Nor deal damnation round the land,*
> *On those we deem thy foe."*

By way of illustrating and enforcing the foregoing arguments I shall now proceed to read from certain books—copies of which were carried from my shop—and adduce a list of authorities, from the conviction that the contents of those books, and the authorities referred to, will weigh far more heavily with you than anything I could advance.

Mr. Paterson now proceeded to read from various works proofs and illustrations of his sentiments, on which the Lord Justice-Clerk reminded him that his acquiescing in the relevancy of the indictment had barred him from pleading anything in justification, or attemping to show that the offence with which he was charged was not a crime.

Mr. Paterson, however, went on to read several extracts. He was about to quote various passages from the Bible, to show, as he said, that it deserved the character given it in one of the passages libelled, when he was stopped by the court, who consulted together for a few minutes regarding the propriety of allowing that line of defence; after which

The Lord Justice-Clerk said, I understand your object is to show that the Bible deserves the character that in this extract is attributed to it. The court is of opinion that that is no defence against the indictment, and that it is not a line of defence which we can permit you to pursue. The law of the land has declared that to asperse, villify, or ridicule the Holy Scriptures of the Christian religion is an offence. If you can shew that the passages

harged in the indictment have no such meaning, that would be a good and seful line of argument; but that which you propose to do is only to prove what the prosecutor undertook to prove against you, by showing that your object in publishing these works was just to do the very thing which is harged against you. It would be also to argue against the judgment which, y your own consent, and without any objection from you, the court have pronounced on the relevancy of this indictment.

Mr. Paterson—My Lord, I would be very sorry to give offence either o the bench or to the jury.

The Lord Justice-Clerk—There is no question here about offence. Nothing that you have said has raised that emotion in our minds. The only hing is as to the consistency of our judgment. I asked you at the beginning if you had any objection to the relevancy of this indictment—namely, hat the publication of such works as are here charged was an offence in law. You have no counsel, but you must doubtless have considered the subject, nd you stated you had no objection to its relevancy. The court know of one, and, therefore, they sustained the indictment as relevant. It is an offence in law; and to do that which you now purpose to do, would only be o establish clearly the case which the crown have undertaken to do, that he passages bearing the meaning the indictment ascribes to them, and, if hey bear that meaning, that renders them unlawful publications.

Mr. Paterson—I am sorry to say that the law comes in a one-sided manner. I am charged with doing a certain thing in a certain manner, and how am I to establish my innocence to the jury, if I am not allowed to appeal to he work to show that it is justifiable?

The Lord Justice-Clerk—By proving that the passages have not the unlawful meaning which has been imputed to them.

Mr. Paterson—I consider that I am perfectly able to do that.

Lord Moncreiff—No person who has attended to the course of this trial an think that the prisoner has been stopped in his defence unreasonably. He as been permitted to go on for three or four hours with a kind of dissertation, the effect of which upon the jury or elsewhere it is not for me to anticipate. He now means to maintain that the major proposition in the indictment is not true, without having objected to its relevancy. The major proposition is, that to deny the truth or authority of the Scriptures, or to bring them into ridicule or contempt, is an offence against the law; and the charge against the prisoner is, that, in publishing these books, he has committed this offence. The prisoner does not say, I shall be able to make out hat the passages libelled are not intended to deny the Holy Scriptures, or o asperse, vilify, or bring them into contempt; if he could make out that, he defence would be perfectly relevant. But if his object is to deny the uth of the major proposition in the indictment, or to vilify and bring into ntempt the Holy Scriptures and the Christian religion—is not that to deny e very basis of the indictment?

Mr. Paterson—I feel that I am placed here in a painful position. I knowledge that I have been listened to with great attention. If, through having no counsel, I did acquiesce in the relevancy of the indictment, it as with the intention of justifying the passages charged in the indictment.

My Lord Justice-Clerk—If you have acted under a misapprehension, it

is entirely owing to yourself in not listening to advice which far abler persons than you are glad to resort to. The court cannot permit you now to speak on a matter where we have already given judgment; and we are convinced further, that in not permitting this line of defence, we best consult the interest of the person that is on his trial.

Mr. Paterson—I must then consider that the court now affirms the proof that these passages are correct, because they must either be satisfied that I am able to prove their correctness, and they do not wish the exposure, or else they do not allow me to make my defence.

The Lord Justice-Clerk—All the remarks you may choose to make on that head will not have the slightest effect in making the judges of this court swerve from what they conceive to be their duty. The notion that we will not allow you to do what is against the law, because we are afraid of the exposure, or that we seek to deprive you of the lawful means of defence—all this has no effect upon us. We tell you what the law is—that the publication of books tending to vilify the Christian religion is an offence in law; and it is no answer to that to say, that in your opinion, the passages are true, and that the Bible deserves the character you ascribe to it. If you can show that the Lord Advocate has mistaken the meaning of these passages—that they do not deny the truth of the Bible—that they do not vilify the Scriptures, that is a point of which the jury will judge; and I have been anxious to hear from you any remarks having the least bearing on that point, that I might direct their attention to it. I trust you now understand the point—I am sure every other man in this court understands it; and you must therefore regulate your conduct accordingly.

Mr. Paterson—I am afraid I have been misunderstood. The indictment says that I knowingly libelled the Holy Scriptures. Now, I want to show the opinion I entertain of the Holy Scriptures, and how I arrived at that opinion; and I wish to show that I would not treat the Scriptures with contempt, nor would I sell, print, publish, or write anything that would treat anything or body with contempt undeservedly.

Lord Moncreiff—Undeservedly; then you maintain that the Scriptures deserve to be treated with contempt?

The Lord Justice-Clerk—You wish to prove that the Scriptures are not true, and that they are worthy of contempt because they are not true. You have now made your meaning clear to the court, and there is an end of it.

Mr. Paterson—I wish to prove that passages in the Bible are bad.

The Lord Justice-Clerk—You have made your meaning perfectly intelligible—you have removed the slightest doubt that could remain whether the court had rightly apprehended your meaning, and whether we had done our duty in stopping you.

Mr. Paterson stated, that when the author of these passages was put on his trial in England, he was allowed to read in his defence.

The Lord Justice-Clerk—We know nothing of that case; this court is perfectly competent to regulate its own procedure; and by the law of Scotland this cannot be permitted.

Mr. Paterson then proceeded to read from a work containing a discussion on religion between a christian and an infidel in America.

The Lord Justice-Clerk said—I must protect the jury here. Do you suppose that the court will permit you to read the whole of that discussion?

Mr. Paterson—Yes.

The Lord Justice-Clerk—Why?

Mr. Paterson—This is one of the books that was seized; and I wish to show what is the character of the works that were found there.

The Lord Justice-Clerk—Well, that may be material, as tending to show that you deal in other books besides those libelled, and that you do not keep a shop merely for the vending of blasphemy.

Mr. Paterson—But I wish to read an extract from every book that was seized, in order to show it.

The Lord Justice-Clerk—Then I am very glad I stopped you in good time. We have nothing to do here with any books which are not libelled.

Mr. Paterson—Then I am confined in my defence, if I am not to be allowed to refer either to the Bible, or to the works that were seized in my shop.

The Lord Justice-Clerk—Oh, we are quite willing to assume that all your books are innocent against which the Lord Advocate has not said any thing.

Mr. Paterson—I am charged with maligning a book which I am not allowed to refer to.

Lord Moncreiff—The prisoner is mistaken in saying that he is not allowed to refer to the Bible. We have decided that he is not to refer to it in justification of his charges; but he is not refused permission to refer to it.

Mr. Paterson—But I am constrained, in justice to myself and to the great cause in which I am engaged, to advert to these topics.

The Lord Justice-Clerk—Prisoner, this is your mistake. You come here buoyed up with the notion of some great cause of which you are the champion. Of that we know nothing. You come before us charged with the publication of certain works. If you inflict upon the jury the reading of all the works that are named in the inventory, then I feel myself bound to protect the jury. Your speech, you told us, was closed, and that you would only read such books as were needful for your defence. We have told you what is competent for your defence, and we must restrict you to that only which is competent. You must see that the reading of these books has no bearing upon that which the jury have alone to try—the meaning of the passages contained in the indictment.

Mr. Paterson then proceeded to read from Paley and other authors certain passages on the impolicy of persecution for religious opinions, when

A juryman asked the court whether this line of defence ought to be permitted.

The Lord Justice-Clerk—Why this is the kind of general language which is usually adopted in cases of this kind—an appeal to you, even if you are satisfied of the truth of the charges, not to convict—an appeal to you not to do your duty, in fact; and the court is of opinion that, upon the whole, it ought to be allowed. At the same time your remark will have its weight upon the prisoner, for he is not so obtuse, I presume, as not to see from it the effect which his language is creating.

Mr. Patterson then declared that he had no wish to trespass upon the time of the jury, and proceeded to say that the man who attempts to stand forward in opposition to the opinions of mankind, which have been held by their ancestors as sacred, and received by them as genuine, braves a world of difficulties; he has to combat a second nature, custom and education.

Great as the difficulty appears by reflection, much as the bigotry of man may be increased by my feeble effort to burst asunder the chain of superstition, which has bound them down to a savage barbarity, yet I feel a conscious pleasure in the reflection that my intention is to pour the balm of consolation on those wounds which enthusiastic madness has left still bleeding in the human frame. Should my efforts be crowned with success, should my faint effort be the means of weakening that religious rancour, which man, differing from his brother, nourishes in his bosom, I shall be amply paid. If I fail, I shall enjoy the pleasing reflection of a good intention.

From my earliest contemplations of the actions of men, I have been struck with wonder and surprise at the religious animosities which they have nourished against each other; and I have marked with amazement and horror the settled rancour and antipathy which their infatuated hearts bore against their fellow-men. I beheld them perpetrating every act of cruelty against each other which the laws of their country would suffer, and letting slip no opportunity of revenge on which their malice could lay hold of by words or actions.

I have attended the religious worship and lectures of the different sectaries calling themselves Christians, and have conversed with the followers of Moses. I have examined the tenets of the creeds of each, and though differing materially from each other, in all I found something to admire, yet was my admiration blasted by the settled animosity which I discovered ever uppermost in the whole. If my mind has been hurt by reviewing the actions of the laity, how much greater cause had I to be astonished at the conduct of those men, who, calling themselves the appointed ministers of the deity, and the disciples and followers of Jesus, whom they describe as teaching a doctrine of love and submission, even to the receiving a blow on the cheek without a murmur, and who, believing in a system of rewards and punishments to eternity, could boldly declare that all who differ from them should be damned for ever!

The more I examined the devout and select of each system, the more I became acquainted with the secret tenets of their faith, the deeper have I found the root of hatred sown; till, tired and disgusted with the search, my mind has recoiled, and I have asked myself, are these the actions of man who boasts himself the image of the Deity? Or is the idea true that infernals can assume the form of man? Is hatred the result of that religion which pretends to teach love? Or is man degenerated from his ancestors, and in love with malice? I will turn (I exclaimed) from the people of the present day; I will search into the ancient page of history; I will ask of the monuments of the dead what was their belief, and how they acted. I have complied with my exclamation, and my mind has been racked with distraction by the search. Before the era of the Christians, I beheld the Pagan world destroying each other about the worship of an idol, the prophesy of an oracle, or the words of a sybil. I see the followers of Moses,

ter destroying the inhabitants of a land who differed from them in wor-
ıip, split into factions, and destroying each other from the same motives.

On turning to the followers of Mahomet, I find the same faction, the
.me religious animosity prevail; till, having filled the world with carnage
ıd blood for twelve hundred years, we now find them split into sectaries,
ıch ready to destroy the other, because they differ as to certain tenets.

On viewing the history of the Christian church, I find still greater
ruelties and horrors present themselves as if (to use a figuratives expres-
on of the Christians) the infernals had ransacked hell for the tortures of
ıe damned to inflict on the living. To paint the scenes of animosity,
ıalice, carnage, bloodshed, and torture, which the followers of Christ have
ractised on each other, for the honour of Jesus, and the salvation of the
hristian religion, from its commencement to the present day, would be a
ısk which the age of man, if doubled, would fall far short of performing:
uffice it to say, that few commotions have taken place, but what religion
ıas either directly or indirectly been the cause.

No sooner has a religious faction gained power, than its first action is
o oppress or destroy those who differ from them, while the persecuted, in
heir turn, practise the same cruelties. Nor does their malice vent itself
n the ordinary way; here every kind of torture which the imagination of
nan can devise is invented, to destroy or torment those whom they con-
:eive their enemies, till it has settled in the regular and systematic plan of
ı hellish inquisition: where, for daring to doubt or call in question the
loctrines of those authorized ministers of the church, you are dragged from
your home, your wife and children, and buried for ever from the light of
lay.

But, you will exclaim, this is not the practice of this country; we have
ıo inquisition here. Refer, my friends, to your own history, and see if it
loes not present you with actions almost equal to them; trace it through
ll its winding paths, from the destruction of the Druids, the burning of the
Catholics, Protestants, and Presbyterians, down to the ever memorable
iots, fires, and destruction of the Catholics of London, in the year 1780,
nd the Presbyterians of Birmingham in 1792; then take a survey of the
ollowers of Christ in this country, divided and subdivided in their creeds,
ach believing themselves only to be right, and condemning every other
ect to torture, while they practise every animosity against those who lie
ithin their reach. View the evils at present existing through this false
ıotion on your island, bring it next to your own town, and, lastly, look to
he circle of your own acquaintance, pry into the secret recesses of your
wn heart, and ask yourself if you know a greater evil to the human race?

Having drawn a feeble picture of the consequence, let us next examine
he cause, and see if there be the least reason or justice for the foundation
f this system of madness, which is not only the disgrace but the destruction
f mankind.

Attaching myself then to no particular system, but as a child of nature
xamining all, I must draw my reflections and arguments not so much
om the received opinions of this or that particular system or doctrine, as
om plain reasoning, morality, and justice. Mankind, led away by a
llacy of reasoning, or blindly duped by a bigoted education, have attached
ıemselves to principles, without weighing their merits in the scale of

justice; hoodwinked by those whose interest it was to keep them ignorant, that they may enjoy the tenth of their possessions, and led on by primers, to whom those have acted as satellites, they have become the instruments of their own misery, dependence, and destruction.

As a proof of my assertion, let us fix on any particular sect of Christians, and examine the motive which has led them to persecution; shall we not find them firmly believing that the only method to attain heaven is by using a particular form of worship, wearing clothes of a particular colour and make, believing a doctrine laid down by their founder, and being firmly persuaded by faith, that certain texts or portions of Scripture convey a particular meaning which rivet a belief in that doctrine, that God Almighty has fixed one invariable law or system, in which he chooses to be worshipped; that he condemns those who do not follow that system; and that they are in possession of that immediate doctrine which it has pleased him to adopt. Hence they consider those who differ from them as enemies to the Deity, infidels, and heretics; and as they feel a pleasure to punish their own enemies or those of their friends, so they consider the Deity pleased with their hatred or punishment of those who differ from him.

"It is for the glory of God, it is for the benefit of his holy church," cried the destroyers of the Hugonots, with their poignards drenched in human gore, on St. Bartholomew's Day. "Thou hast polluted the holy church of Christ by thy idolatry, thou art a believer in the real presence, and a follower of the whore of Babylon, therefore I am the instrument of Christ in exterminating thee from the face of the earth," cries a mad-brained puritan or reforming protestants. In short, each sect, considering themselves the favoured people of heaven, confident of the justice of their opinions, and bigoted to their belief, suppose it would be displeasing to the great author of nature to take to their bosoms the man who, differing from them in opinion, they consider as going headlong to perdition.

Vain, childish notion of an infatuated brain! Hast thou examined the system of nature? Hast thou marked the progress of the heavens, or watched the movements of the earth? In what part of the great stupendous whole dost thou perceive the least partiality? What proof (but in thy intoxicated brain) cans't thou produce in nature that the Deity has marked thee as the elect? Does not the sun bless with its rays the land tilled by him thou callest an unbeliever? Do not the heavens water it with their showers, and is not its produce, if cultivated with industry, equal to thine own? Are not himself and children happy, provided their actions are marked by morality? Does not every blessing this world can produce shower on their dwelling, if industry be their care, and truth and justice their guide?

Gentlemen, I have done. My defence is before you. The duty I owe to myself and society has been performed. My sentiments and my liberty are in your hands.

Mr. Paterson's defence, his readings of authorites, and discussions with the judges, engaged the attention of the court, with the exception of two short intervals for refreshment, from half-past one o'clock till seven.

The Lord Justice Clerk summed up. He said the indictment accurately described the nature of the offence. It was the publishing of any book or printed work containing a denial of the truth and authority of

the Holy Scriptures or the Christian religion; or devised, contrived, and intended to asperse, vilify, ridicule, or bring into contempt the Christian religion or the Holy Scriptures. The offence charged then, was not merely the publication of works simply denying the truth of the Bible. Whether that first branch would be a relevant charge in law, he was not now called upon to consider (though he must not be understood as raising a doubt on the point), because the charge in this indictment was expressly stated to be that the works indicted were intended and devised to asperse, vilify, and ridicule the Christian religion—that the character of the book was not that of a fair and serious discussion of the truth and authority of the Holy Scriptures by a man who seriously addressed his mind to the point, with a view to promote that which he believed to be the truth; but that they were written in a style, tone, and character which demonstrated that they were intended to vilify and bring into contempt the Christian religion. They would observe, farther, that this offence was stated to be an offence by the laws of this realm This would show them that they were not engaged in a theological discussion, but in an examination into an offence alleged to be committed against the law of this land, on the ground that the Holy Scriptures and the Christian religion were established as part of the law of this country, apart altogether from the question of church establishments or form of church government, as had been formerly found by the court. Here his Lordship quoted, in support of this view, from one of the Acts of the Scottish Parliament (we believe from the Act of Security), and continued—This law did dot impose upon individuals any obligation as to their belief in that which the law of the land had established. It left free and independent the right of private belief; but it distincly prevented what that law thought fit to establish from being brought into contempt. Such being the law, the jury would see at once that the duty they had to perform—in which, however, they would be cautious how they interfered with what they were satisfied was a fair, and serious, and rational, and candid discussion—the duty they had to discharge was very clear. The questions they had to consider were—whether the works which the individual was charged with publishing were of the character imputed to them; and if they were, whether they were sold by him wickedly and feloniously, and with the intention of promoting the object imputed to the works themselves, and doing that which it was said the works were intended to do—that was to vilify the Bible and the Christian religion. In looking at the first question, they would take the entire works with them, and see whether a reference to the context would change the meaning of the libelled passages in such a way as to show that they did not bear the meaning which the prosecutor attributed to them. That was a point for the jury to determine; but he should not be doing his duty if he did not state to them that in his opinion the passages libelled did bear the interpretation put on them by the Lord Advocate, and that they did come within the meaning of the indictment. On the other point, whether the prisoner sold these books wickedly and feloniously, they would be guided by the evidence, which he did not think it necessary to read over to them.

The jury then retired, and, after being absent about three-quarters of hour, returned into court, finding by a large majority that the charges against the prisoner were proven.

The court intimated that they would delay giving sentence, and then adjourned till the following day.

On the following day Mr. Paterson was brought up to receive judgment.

SENTENCE.

The Lord Justice Clerk said this was one of the most painful cases a court of justice could have brought before it. The prisoner at the bar had been convicted of the crime of publishing and vending, wickedly and feloniously, impious, profane, and blasphemous publications, denying the truth of the Christian religion, and devised and intended to asperse, vilify, ridicule, and bring into contempt the Christian religion and the Holy Scriptures. The prisoner had been convicted on no less than eleven charges, defining as many different acts of publication, all of which had been clearly established to the conviction of the jury, by whom the charges were investigated. The charge against the prisoner was not that he held certain opinions, or published a work containing sentiments which the law did not recognise. On the contrary, had they been opinions entertained by the prisoner conscientiously, and expressed in a way to show that he wanted no more than a fair discussion in regard to certain principles, and had his opinions been written, and composed, and addressed to the parties upon whom they were intended to have an influence, in such a manner as to show that his object was the establishment of truth and the good of the people at large, there would have been no charge preferred against him like that which the public prosecutor had found it his duty to institute. But the charges made against the prisoner and proved, were, that his sole end and object were to asperse, ridicule, vilify, and bring into contempt the Christian religion and the Holy Scriptures; the whole of the books were written in such a tone, with such a choice of epithets and images, and such a misrepresention of character, as to show that he had the intention mainly and solely of bringing into contempt the feelings and belief of Christians; this he had done not once only, but on various occasions after he had been warned by the authorites of the danger he ran from the continuing to publish and sell such works. His shop was continued open, and immediately on being liberated on bail, after examination, and his books having been seized by the sheriff, he obtains another supply of the same books, and continues to sell them openly and without reserve. The evidence which had been given left no doubt on the mind of any one what the object of the prisoner was in vending these obnoxious publications, and that they were of an impious, profane, and blasphemous character. One most respectable gentleman examined for the prosecution, stated to the court how he had been attracted by the placards in the window and at the door of the prisoner's shop, and how he had done his duty as a man and a Christian by warning the prisoner as to the character of the works he was in the habit of vending, and in remonstrating with him as to the heinousness of his crime, and the danger he incurred of being punished, and very severely punished too, for his offence. The gentleman referred to plainly intimated that he intended to give him into the hands of the authorites, and the answer of the prisoner, as brought out in evidence, was to the effect that he did not care for being prosecuted, as that would only attract public attention to his trade, and that for one atheistical

publication warehouse in Edinburgh, he anticipated there would soon be three. The interference of the authorities then had not induced the prisoner to desist from his objectionable course; he had, on the contrary, repeated the offence in an aggravated shape. Indeed the nature of his design was not to be misunderstood, for in his address to the citizens of Edinburgh, published by him as an advertisement, he plainly says what that design is—calling himself the only atheistical publisher in Edinburgh, and speaking of himself in a style to recommend his publications to the inhabitants of this city, and making it plain to the jury that his intention plainly was impiously and blasphemously to ridicule, vilify, and bring into contempt the Christian religion. In awarding the punishment which the offence proved against the prisoner deserved, the court would not be influenced by the character of the address which the prisoner had thought it his duty to make to the jury yesterday further than this, that that address, as it did not disguise or in any way deny, but rather admitted to the full extent the object and intention of the prisoner in vending those works, enabled the court to decide without hesitation as to what the prisoner's intention was as laid down in the indictment. Beyond this fact, the court would not allow themselves to be influenced by it to the prejudice of the prisoner, or to aggravate the punishment which might otherwise have been awarded against him. But the court had one satisfaction in the hearing of the prisoner's address, which was, that there was neither the talent nor learning in its composition which could by possibility be conceived likely to have any great effect in influencing the public mind in favor of the sentiments which it contained. This, however, he thought it his duty to warn the prisoner of, that if after the expiration of his term of punishment he ever again made the attempt, either in Scotland or any other portion of the British dominions to give circulation to the works for the vending of which he was now about to receive punishment, he (the Lord Justice Clerk) begged to assure the prisoner, that there was no extent of punishment by fine or imprisonment, which it would not be the duty and in the power of the judge to award against him in such a case. The case now before the court was the first of the kind which they had been called to consider for a long period of years. It was matter of consolation to think, that after all the attempts which had been made by these venders of blasphemous and profane publications, within this city, the doctrines put forth by the prisoner, and others like himself, had not had the effect of making any very serious impression on the minds of those for whom these publications were more especially intended. The court were inclined to look upon it as an attempt, which had been detected, and promptly thwarted by the public authorities in due time to prevent the mischief which it was intended to effect, and viewing it in that light, the court would not consider itself imperatively called upon to inflict the very highest punishment, notwithstanding the very aggravated circumstances in which the case came before them. Upon the point in regard to the propriety of this prosecution—and a large portion of the prisoner's address yesterday, was directed against the policy, the prudence, and the propriety of the public prosecutor's interference with his trade, (of which certainly the prisoner must be considered to be a very fit judge)—he (the Lord Justice Clerk) begged to say that he had no doubt this prosecution would

be followed up by the most beneficial results. The prisoner, and those who followed in the same course in regard to the publication of those impious and profane publications, seemed to think they were destined to emancipate men from their bigotry and ignorance as regards religious subjects, in which they say that all mankind, from the beginning of the world down the present time, except themselves, had been involved. He believed, however, that they greatly deceived themselves if they thought that their sentiments had now, or were ever likely to make any great impression upon the working classes of this country, to whom they stated that they mainly addressed themselves, and upon whom they indulged the belief that they would exert a powerful influence. He believed on the contrary, that the working classes were those least likely to give up their belief in the truths of religion, and to whom, in this world, these truths were of incalculable importance. Especially as regards the working classes of Scotland—whom the prisoner himself had chosen to represent as so singularly ignorant and involved in the blindness of religious belief; he had no fears that the impious and blasphemous vilification of, and contempt for, the Christian religion, so fearfully characteristic of these publications, would have any effect upon them such as the prisoner intended and desired. In conclusion he begged to state that her Majesty's advocate would have been a bolder man than he (the Lord Justice Clerk) was if he had not interfered as he had done to put down this abominable system, knowing well the influence which such publications might have upon that class, particularly the young, whose education may have been neglected and their reading misdirected. The sentence of the court, for the crime of which the prisoner had been convicted was, that he be imprisoned for the space of fifteen months. Addressing himself to the prisoner, his lordship said, whatever you may think, I have to say to you, in the prospect of pronouncing judgment upon you, that I have prayed to Almighty God, in whom I believe, that he would vouchsafe to you the comfort, the peace, and the joy flowing from a sincere belief in that adorable Redeemer, whose mercy you have hitherto so contemptuously rejected.

Mr. Paterson wished to know, whether, in his imprisonment, he was to be treated as a common felon?

The Lord Justice Clerk said that the court had no power to control the arrangements of the prison. That power lay with the General Board of Directors of Prisons, of whom he (the Lord Justice Clerk) was one. And he could assure the prisoner that with regard to any application he might make for the relaxation of discipline in the prison, or for exemption from the only instruction which he would be permitted to have, he (the Lord Justice Clerk) could tell him that he has not the least chance of getting any relief.

Mr. Paterson was then removed.

Of that part of the sentence where the judge declares it a matter of consolation, that the publications of Mr. Paterson and others, had not the effect of making any serious impression on the public, the *Philanthropist* remarks—

"So we are left to the conclusion, that the prosecution was as uncalled for as it was inexpedient and irrational."

Upon the arrogant intimation of his lordship that other judges in other

courts, would visit further attempts of Mr. Paterson to excuse the right of publication, the *New Moral World* thus remarks—

"Things are come to a pretty pass indeed, when a judge can with impunity not only frequently interrupt a prisoner while reading his defence, but on its conclusion speak of it in this way, and make its delivery a reason for heavy present and heavier future punishment. We presume that the practice of the "Holy Inquisition" would have suited Judge Hope better than the routine of a British Court of Justice. Again this *temperate* Judge, after stating that there was no reason to believe that Paterson had made much, if any impression—that though he had addressed himself principally to the working classes, he (the Judge) was sure "they would not easily part with their belief in those truths, which were perhaps *more valuable* to them *in this life* than any other class in the community;"—(bishops and parsons in general included?)—and that the only class who had been at all in danger from the dissemination of such works as those sold by the prisoner, were a class of persons, like the prisoner at the bar, in situations above the working classes, young men whose education is imperfect, and their reading misdirected, to save this class from danger, his Lordship passed sentence."

The concluding portion of the sentence with its interlardings of "Almighty God," "Adorable Redeemer," and mock philanthophy excites the regretful censure of the *Philanthropist*:

"And thus ends the scene; and thus it is that Mr. Paterson is left to learn the beautiful spirit of Christianity."

Of Mr. Paterson's bearing during the trial, an eye witness said in the *Oracle*—"There was a resolute purpose about every thing he said and did, but, at the same time a comparative gentleness and repose, which told greatly in his favour. To my certain knowledge many who went into court writhing under feelings generated by personal pique, went away forgetful of all save the coolness, fortitude, and temper displayed."

The preceding defence is precisely what Mr. Paterson delivered, but the colloquies in court are taken from the Edinburgh papers that no suspicion might arise that the court was represented partially by us. That portion of this report which affects the court was made by friends of the judges, and the colouring has been in their favour and against Mr. Paterson.

THE TRIAL OF THOMAS FINLAY.

PREFATORY REMARKS.

On Saturday morning, June 3rd. 1843, Mr. Thomas Finlay was arrested in Edinburgh by the Procurator-Fiscal, on the charge of vending "Blasphemous books." The same day his shop, and that of his son-in-law, were rifled by the Fiscal; and a great quantity of books of considerable value, were carried away. By Scottish religious law, not only the persons, but the property of the infidel is siezed—and about the kind of property the authorities are not particularly nice, for in these prosecutions their pretended desire to protect the public has been but a veil to conceal the more substantial intention of injuring the obnoxious individual.

Mr. Finlay was escorted to the County buildings, and after a short examination, thrust into a dark cell below ground, furnished only with a pallet of stubble and blankets torn to ribands. Here for four days and nights he was subjected to every species of petty annoyance which the brutal ingenuity of a ferocious turnkey could invent. On Wednesday he was finally examined before Mr. Sheriff Tait, a gentleman much respected in the city for his bland disposition, urbanity, learning, and impartiality as a judge. This testimony to this gentleman is willingly borne, because it does not appear that on any of the several occasions on which he had to adjudicate between infidels and their prosecutors, that any complaint has been made of that harshness, insult, and malignity, to which in other courts, both in England and Scotland, infidel prisoners have been almost invariably subjected. While it is a duty to hold up to public reprobation official tyranny and insolence, it is not less a duty to distinguish those cases when all the fair play which the law permitted has been allowed.

After Mr. Finlay's examination he was committed to Calton goal, and forced into a bath like a common felon. Christians and judges who punish the publication of heterodox sentiments on the ground that their feelings are shocked, would do well to reflect on the treatment to which they subjected Mr. Finlay. A goal bath is concentrated loathsomeness, all the filth, itch, scrofula, sores, and disease which the vice and wretchedness of a whole city engenders, are actually washed into it. It would be difficult to describe the disgust and abhorrence which a respectable and venerable old man, like Mr. Finlay, must feel on being thrust over head into this loathsome and polluted pan. It has been said that the annoyance Mr. Finlay experienced in the lock up, and also this treatment, were done "without authority." But this cannot be admitted. The magistrates and prosecutors know full well that such things will take place, and if they do not issue orders to the contrary, it must be concluded that they intend it. The experience of Mr. Holyoake

in Cheltenham, and Mr. Paterson in Tothill Fields' Prison, London, justify this statement. After twenty-four hours misery, Mr. Finlay was permitted to return to his family, a bail bond of £25 having been subscribed to by two of his friends.

On July 24th. Mr. Finlay was called up for trial in the High Court of Justiciary, but ultimately held to bail on a new warrant.

Time passed on, and no notice was taken of Mr. Finlay. The Court of Justiciary met again, and passed sentence on Mr. Paterson, but no indictment was preferred against the earlier offender. It was at last believed, that humanity, if not reason, had triumphed, and that the disgraceful exhibition of an old man being brought up at a felon's bar to answer for the publication of his opinions on religion would be saved to British society in this age. But he who calculates on the humanity of the sincerely pious, should have rare data before him. Twenty days after the trial of Mr. Paterson, a precious document of the following form was delivered to the sheriff.

"Edinburgh, Nov. 29, 1843.

"*Unto the Honourable the Sheriff of Edinburghshire or his Substitute.*

"*The Petition and Complaints of Archibald Scott, Procurator-Fiscal of Court for the Public interest.*

"Humbly Sheweth,—That Thomas Finlay, cabinet-maker, now or lately residing in Haddington-place, in or near Edinburgh, has been guilty of the crime of wickedly and feloniously publishing, vending, or circulating, or causing to be published, vended or circulated, a profane, impious or blasphemous book or printed work, or a book or printed work containing a denial of the truth and authority of the Holy Scriptures, or of the Christian religion, and denied, contrived, and intended to asperse, vilify, ridicule, or bring into contempt the Holy Scriptures or the Christian religion."

The petition then set forth that Mr. Finlay had vended a work, entitled an "Improper Book for Youth,—written by Cosmopolite." A work, entitled, "The Protestant's Progress from Church of Englandism"—"bearing to be published by J. Watson, 15, City Road, Finsbury." The application concluded thus:—

"May it therefore please your lordship to grant warrant to cite the said Thomas Finlay to appear before you to answer to this libel, and thereafter upon his being convicted in terms thereof, to fine and amerciate him in a fine not exceeding Ten Pounds sterling, together with expenses, or otherwise to grant warrant to commit him prisoner to the prison of Edinburgh, therein to be detained for a period not exceeding sixty days."

THE TRIAL.

The trial took place on the 6th December, 1843, before George Tait Esq. one of the sheriff substitute, attended by James Macdonald Esq. the other sheriff substitute. The case against Mr. Finlay was opened by Archibald Brown, Esq. one of the Lord Advocate's Deputes, Mr. Scott the Procurator Fiscal being also present. Mr. Finlay's defence was opened by Mr. James Macora, W. S. (Writer to the Signet) whom Mr. Finlay had retained to speak to the irrelevancy of libel, with the arrangement that Mr. Finlay was to speak in his own defence.

Mr. Macora in the first instance, and chiefly, founded his objection on the irrelevancy of the libel. The whole ground he took may be thus stated.

I.—That this being a charge for denying and vilifying the sacred Scriptures, or the Christian religion—was the subject of a special statute in Scotland which had not been repealed or altered. By that statute the punishment of the crime alleged was, for the first offence, a rebuke before a congregation—whereas the condition of this complaint was for fine and imprisonment.

II.—That the prosecutor by this proceeding, attempting to vindicate the truth and authority of the Bible, should not act in direct opposition to the precepts of the Gospel, which it was shown that the prosecutor was.

III.—That the charge being alternative the defendant took the second alternative, the vilifying the Christian religion, and shewed by various works, years ago published, that the Christian religion as established in this country is condemned, and that by interpretation of Scripture. He read various passages in which the Protestant religion is denounced as the abomination of desolation, the beast having in its head the names of blasphemy and the dragon—and continued the charges, although the books were not only published but had been in the hands of the learned for years, were not attempted to be re-argued—and they must be held to be admitted. Now it could be no crime in the defendant to vilify and deny a religion, which its professors would not vindicate against such charges.

Here the sheriff interfered and refused to allow Mr. Macora to say another word, charged him with indignation for using such language, and evinced a considerable degree of irritation.

Mr. Finlay.—My lord, I hope that Mr. Macora's remarks will not be considered as taking away my right of defending myself.

The Sheriff.—You must make your election, you cannot both be allowed to make the defence.

Mr. Finlay.—I am glad my lord that I have spoken in time, for I wish to make my own defence.

Mr. Brown the deputy advocate then stated that the point in dispute had been decided in the case, "Paterson and Robinson" in the Court of Justiciary—a higher court—and the inferior court were bound to follow it.

The sheriff acquiesced.

List of witnesses, as appended to the indictment, against Thomas Finlay.

1 George Tait, Esquire, sheriff-substitute of the county of Edinburgh.

2 Archibald Scott, now or lately procurator-fiscal of county aforesaid.

3 John Crerar, now or lately clerk in the sheriff-clerk's office, Edinburgh.

4 Abijah Murray, now or lately sheriff-officer in Edinburgh.

5 William M'Kay, now or lately sheriff-officer in Edinburgh.

6 John Archibald Campbell, Esquire, sheriff-clerk of the county of Edinburgh.

7 William M'Kenzie, now or lately residing in Crosscauseway, in or near Edinburgh.

8 William Murray, now or lately criminal-officer in the Edinburgh police.

9 Walter Emlie, now or lately city-officer in Edinburgh.

DEFENCE.

Mr. Finlay being called upon for his defence spoke as follows:—

My lord, I am a poor, old, and I may say an unlettered man, consequently I am not well qualified to occupy a position where I have to defend myself against the learning and ability of such persons as my prosecutor, however I have for several reasons resolved to tell my own tale; the disadvantages of this course will be felt chiefly I believe by myself.

Therefore, my lord, I hope to experience your indulgence, so far as is consistent with your duty, and as I am very little acquainted with law, form, or etiquette, scarcely ever having been within a court of law, certainly never as a defendant, until this charge of blasphemy. It is probable I may blunder, or possibly seem wanting in that respect which is due to the court, or persons I have to address. But I most earnestly beg your lordship to be assured that it can only be seeming not intended by me, for, however much I may be wanting in religious belief, I hope I shall never be willingly deficient in plain good manners.

My lord, I have been amazed at being thus prosecuted on a charge of blasphemy, I say that aware as I am of so many eminent public characters, both lay and clerical, who have both written and spoken so strongly in favour of the utmost liberty in discussing religious opinions, I did little expect to be publicly called to account for the little I have done, in what I consider the cause of truth and mental improvement.

After so much boasting and sound about the freedom of this country, liberty of the press, civil and religious liberty, and so forth, particularly of late, I had concluded that we were to have no more prosecutions for opinion's sake. But after my house had been invaded by the Procurator fiscal and his assistants, the innermost corner of my dwelling ransacked, the very locks of hair of my departed father and mother strewed about, my literary gems and curiosities thrown in heaps, and myself carried off and lodged in a felon's jail, I found I was mistaken, and that we were still to have public persecution, and that with a vengence.

My lord, I beg your attention to the following consideration which I trust you will admit to be extenuating, if not fully justifying me in the course I have pursued.

There has been in Edinburgh for some years "The Philalethean Society for peaceably repressing infidelity." That society has been very unsparing in its language towards infidels, and challenges us to come forward publicly and defend our opinions, either by writing or discussion. Seeing then my lord, that the authorities allowed that society to publicly vilify, slander and challenge us, I had little reason to expect or suspect that I would be prosecuted for merely offering to the public a few pamphlets containing those arguments I was so publicly called upon to produce. We have also had for many years in Edinburgh, and throughout the country the "Home Missionary Society," an association of clergymen and others of different denominations, but I think they may all be called *intrusionists*, for their avowed object is to support missionaries for the purpose of visiting every private family, and ascertaining what their opinions are, or as they style it enquiring into their "spiritual condition." Their motto is, "Go to the hedges and highways, and compel them to come in, that my house may be full." But not content with that, they enter our houses and almost compel

us to come out; my family has recieved many intrusive visits from them, yet I allowed them every facility, while they represented infidels and their opinions as anything but desirable.

Now my lord, I think it very unreasonable that I should be expected to submit to the like of that, without wishing for, and insisting on the right to open my mouth, or my books in my own defence.

My lord, here is a pamphlet, being a report of the proceedings at a public meeting of the friends of the Edinburgh City Mission, held in the Waterloo-rooms, Edinburgh, 30th November, 1841, Graham Speirs, Esq., Sheriff of Edinburgh, in the chair, (whose coadjutor in office, you, my lord, I believe are); the motto on the title page is from the speech of the chairman, it is this,—"*One Bible is worth a hundred penal statutes, and one active missionary will do more good than a whole legion of policemen.*" I will read a few lines from the speech of the Rev. J. Watson on that occasion. He said, "Sir, the greatest evil which Christains have ever inflicted on their own cause has been *division*. Infidelity says so. Put forward the claims of the Christian system before intelligent sceptics, they turn round and say, Gentlemen, agree among yourselves first what Christianity *is*; tell us the result, and we shall consider of it. Popery says so: you call in vain to the Papist to turn to the purer faith of Protestantism, for he blesses himself, that while there are acknowledged evils in his religion, still it wears the seamless robe of uniformity, whereas our Joseph's coat is one of many colours. And even the mere man of the world, who is of no party, finds an apology for his utter neglect of religion on the ground of our disagreements. Now, do you ask how this serious hindrance shall be removed? who would not roll every stumbling-block out of the way of pure and undefiled religion? I answer, in the first place, it cannot be done by *compulsion*. He has read history to small purpose who has not been taught the vanity of attempting to compel mankind to think alike. Sir, the abortive attempt of the English nation, in a former age, to throw the cloak of prelacy round the shoulders of Scotsmen, speaks volumes on this head. Nor can it be attained by *indifference* to truth, that were treason against the Majesty of Heaven. Least of all can it be done by surrendering our *conscientious* belief."

My lord, after thinking on these matters you may judge how much astonished I was at finding myself, for the first time in my life, on the wrong side of the heavy iron door of a prison cell. I thought it strange to be confined for *my* infidelity, in a prison, close by the walls of which stands a splendid monument in memory of the celebrated Infidel (or as Lord Brougham calls him, the Atheist), David Hume.

Sheriff: Lord who?

Mr. Finlay: Lord Brougham, my lord. I thought too of the £100 each, which the respectable manager of our theatre, and a Scottish duke, subscribed towards a monument to the amiable, the benevolent Shelly, the splendid Atheistic poet. I also thought of the public speech of the celebrated Mr. Sheil, the M.P., in which he characterizes the Bible as a book very unfit for indiscriminate perusal. I find I have neglected to bring with me a copy of the extract from Mr. Sheil, but you, my lord, perhaps, understand what I allude to, (the sheriff nodded assent), and I thought the ways of men were not *equal*. But above all I thought it very unseemly to

find myself in prison, and treated as a felon by Christians, for merely doing what Christians themselves glory in, and think it their duty to do, that is inviting the consideration of their fellow-creatures to those opinions which they conscientiously believe to be well-founded, and conducive to the welfare of human society.

My lord, I beg your attention to a few short extracts from eminent Christian authorities, in support of freedom of expression in writing and speaking.

Melancthon, in the times of Luther and Calvin, and who is considered one of the fathers of the Protestant Reformation, said, "Let all have full liberty to teach and maintain whatever opinions they may choose to teach and maintain." Watson, the late celebrated Bishop of Landaff, in anecdotes of his life, revised by himself in 1814, says at page 217, "Whoever is afraid of submitting any question, civil or religious, to the test of free discussion, seems to me to be more in love with his own opinion than with truth." And at page 235 he says, "No civil government has any right to take cognizance of opinions, either politial or religious, but only of men's actions."

Now, my lord, here is high authority in favor of freedom of opinion, or which is the same thing, free discussion, for to talk as some shallow reasoners do about people being at liberty to entertain what opinion they please so long as they keep those opinions to themselves, is pitiable. I think Bishop Watson as respectable authority as Judge Hale the witch-burner. Hale said Christianity was part of the law of the land, and thought to rectify the public mind by fire. Watson did not entertain the part and parcel notion, but proposed to rectify errors of opinion by writing them down, and I believe was not unsuccessful,—for myself, I can say that his apology for the Bible convinced me of the fallacy of Paine's reasoning on the subject of deity.

Milton, in his "speech for the liberty of unlicenced printing," asks "who ever knew truth put to the worse in a free and open encounter."

Bishop Warburton, in his work on the Divine Legation of Moses, and at page 80 of the dedication, where he is addressing the free thinkers, "nor less friendly," says he, "is this liberty to the generous advocate of religion," for how could such a one when in earnest convinced by the evidence of his cause, desire an adversary whom the law had before disarmed, or value a victory where the magistrate must triumph with him? "Even I", says he, "the meanest in this controversy, should have been ashamed of projecting the defence of the great Jewish lawgiver, did not I know that the same liberty is impartially indulged to all, and if my dissenting in the course of this work from some received opinions need an apology, I desire it may be thought that I ventured into this tract the less unwillingly, to show by my not intrenching in authorized speculations, that I put myself upon the same footing with you, the Free-thinkers, and claim no privilege that was not in common."

After speaking of style, he, at page 95, says, "That a restraint on free inquiry will force writers into this vicious manner we readily allow; under these circumstances such a key to ridicule as just writing demands being unsafe, the only way men have to escape persecution is to cover and entrench themselves in obscurity. It is no wonder that ridicule should degenerate into the buffoonery which amuses all alike.

"As in Italy, which gave birth to this degenerate species of writing, it is the only way in which the poor cramped thinking wretches can discharge a free thought. But in Great Britain, happily for truth and you (Freethinkers), philosophy is at her ease, and you may lead her safely back to Paganism, through all the ancient modes of doubting, objecting, and refuting. It is difficult, therefore, to assign any other likely cause of this extravagance than that vicious levity of spirit I have charged upon you. For as man is formed by nature with an incredible appetite for truth, so his strongest pleasure in the enjoyment arises from the actual communication of it to others; without this it would be a cold purchase; it would be abstract, ideal, solitary truth; and poorly repay the labour and fatigue of the pursuit. Among the ancients, who, you will allow, had high notions of this social sense, it was a saying recorded by Cicero with approbation, that even heaven would be no happiness to him who had not some companion or social spirit to share with him in the pleasure of contemplating the great truth of nature there revealed unto him. In a word, then, all that we desire is your amendment, without any sinister aim of calling upon the magistrate to quicken your pace. So I leave you, as I dare say will he, to yourselves. Nor let any good man be above measure scandalized at your faults, or more impatient for your reformation than mere charity demands."

"I do not know what panic the present growth of infidelity may have thrown some of us into; I, for my part, confide so much in the goodness of our cause, that I, too, could be tempted to laugh in my turn, while I think of an old story told us by Herodotus, book ii, chap 14. He tells us then, that at the time their deity, the Nile, returns into his ancient channels, and the husbandman hath committed the good seed to the opening glebe, it was their custom to turn in whole droves of swine, to range, to trample, root up, and destroy at pleasure—and now nothing appeared but desolation, while the ravages of the obscene herd had killed every cheerful hope of future plenty. When on the issue it was seen that all their perversity and dirty taste had effected was only this, that the seed took better root, incorporated more kindly with the soil, and at length shot up in a more luxuriant and abundant harvest."

My lord, it appears from that extract from Bishop Warburton, that in his time, (about one hundred years ago) there was no restraint on the publication of opinions; that in his opinion restraint was improper—and that a generous religionist would scorn a contest with a gagged opponent—and would be ashamed of a victory over an adversary whose tongue and pen the magistrate had already tied; he admits that just writing demands the use of ridicule—but that a restraint on free inquiry will force writers into a vicious, buffoon manner, that in poor oppressed priest-ridden Italy, that degenerate species of writing is the only way in which the cramped thinking wretches can discharge a thought. "But in Great Britain, (says the Bishop) happily for truth and you (freethinkers,) philosophy is at her ease."

Well, my lord, I hope the result of this trial will corroborate Dr. Warburton's statement, by your sanctioning no restraint on the freedom of discussion. I hope you will by your decision show that you fully appreciate, and confide in the character of truth:

" Truth ever lovely since the world began,
The foe of tyrants, but the friend of man."

I think the learned prelate Warburton judges rightly, that no style of speaking nor writing can injure truth, if it is allowed a fair field and no favour, this is all that its judicious friends ever asked for it. Favour they would reject with scorn. I believe that the great majority of mankind are capable of appreciating truth, and right from wrong, if they were fairly dealt with, and that a great amount of pleasure consists in the communication of our ideas of the true and useful to others. Or, as it is strongly expressed by a celebrated living author, "A Nero playing upon his harp in the midst of a city in flames, is a less frightful picture of humanity, than the solitary philosopher basking in the serenity of his own speculations, but indifferent to the wrongs he could redress, the errors he could correct, and the misery he could relieve." "I am happy myself," saith such a philosopher, "and I owe nothing," but let him consider how much of his happiness he owes to society, and the benevolence of others, and then let him enjoy if he can, that ungenerous, beggarly, dishonest state of mind, which has no desire, nor wish to be discharging that debt, a debt which every good man wishes to involve society into him. "What!" says Taylor, "shall we be infidels and priests too? —and having come out of the bastile of superstition ourselves, have no more of generosity in our nature than would turn the key again on the poor wretches we have left in it. No, dear as intellectual freedom is, and in my hearts best estimation prized above all price, I'd rather be the slave myself and wear the chains, than fasten them on him. All the advantages which the emancipation of our minds from the power of priests and priestcraft could confer, would be too dearly bought, if our conversion is only to be from the condition of being fools to that of being knaves—from having been imposed on ourselves, to become ourselves imposters."

My lord, I think it is through want of due consideration, that either Christians or Infidels recommend the dark-lantern-light under the sentiment of "keep your mind to yourself, do not disturb peoples' prejudices."

Had the repose of barbarous ignorance never been disturbed, had the thousands, for whom it might with equal justice have been urged, that they were well enough at ease, and perfectly satisfied with the modes of thought which they had been brought up to entertain, had they never been induced to entertain any other modes of thought—had scorn, and nought but scorn been due to every attempt to emancipate men's minds from the thraldom of their prejudices—had it been the duty of the more knowing, and the better informed, to keep their better knowledge to themselves, to doff the bonnet to the tyranny of ignorance, and submit to the usurpation of imposture, the race of men might to this day run wild in the woods. The character of *civilized* man is not to possess a perfect knowledge, nor to be free from error; but to be willing on *all* subjects, and at all times, to correct his errors, and to increase his knowledge; this he can do only by submitting all his modes of thought to the test of comparison with other modes of thought, urging his faculty of reason, to reason with, and his two ears for the purpose for which they are adapted, to hear on both sides.

Your Christian Missionaries, my lord, who in the sincerity of their conviction, and the intensity of their charity, traverse the globe, to carry to

their fellow creatures (as they conceive they carry), the glad tidings of salvation, deserve your applause, and mine—and have it too—for they act like honest men, they act as becomes good men, for there is no greater goodness than in confering benefits on others; they act as becomes wise men, for there is no greater wisdom than in laying out our lives so as to serve the cause of human improvement. But applause, however well awarded, is but half the tribute we owe them, let us imitate them. And if I aspire to this, all that I demand, shall be no more than the fairness which they themselves demand, let even-handed justice weigh me out the same share of forbearance and attention, which they would think but reasonable to be granted from them whom they expect to convert to the Christian faith. Let them not, themselves, put on the Christian faith a worse indignity than it could possibly receive from me—that of being exhibited as the only faith under heaven that will not brook opposition, and connot abide controversy. Let me, at least, experience from civilized and enlightened society but only so much generosity as they would challenge from the barbarians, their hearers—ye surely never will give occasion for the inference, that it is only from Pagans that liberality is to be expected, and that where a man has become a Christian, he should no more listen to reason, nor be capable of justice.

My lord, supposing for a moment, that a change had taken place in your mind, the like of which has often taken place in minds of the very first-rate intellect and acquirements, supposing that in maturer life and more extensive information, you had discovered that those things which you had once held to be true, were not true, that your simplicity had been imposed on, and that you could not lodge your faith and your honesty in the same bosom—which of them is it that you would give notice to quit? Would you throw from you all the honorable sentiments you now entertain? Would you say that zeal, sincerity, and honesty, are only virtues when exercised in in the cause of Christianity? Would you renounce all heroism of character, and become the submitting slave and truckling coward that some bigotted, inconsiderate individuals would have an Infidel to be? I believe not.

The Christian martyrs, my lord, whose memories are so much revered, are so much admired only on account of the steady devotion they showed to what they conscientiously believed to be truth; then why should their Christian admirers endeavour to consign me to punishment for any little zeal that I have shown in what I as conscientiously believe to be truth, and which I never desired any other than fair and civil means to show to be truth.

My lord, I beg your further attention to a few more high authorities in favour of religious liberty, or rather religious and anti-religious liberty, for without the one the other would be only a one-sided liberty, consequently liberty on the one side and tyranny on the other.

I will read a few lines from some of those ancient Christians called the Fathers of the Church. Saint Athanasius says, book 1st, "It is an execrable heresy to endeavour to compel by force, by blows, and imprisonment, those who cannot be convinced by reason." "If," says he in another place, "they persecute, this alone is a sufficient proof that they are not actuated by piety, or by the fear of God, it is a characteristic of piety not to constrain, but to persuade, in imitation of our Saviour who left every one the liberty of following him as they chose. As to the Devil, as he hath not the truth on his side, he hath recourse to axes and hatches."

Lactantine says, book 3rd, "Constrained religion is no religion, we should persuade, not compel; religion does not take upon itself to command."

Mr. Justice Blackstone has said, "All persecution for diversity of opinions, however ridiculous and absurd they may be, is contrary to every principle of civil freedom."

The celebrated Dean Pideaux in his "Letter to the Deists," says, "'Tis only *error* or falsehood that desires to shelter itself in the dark; but *truth* being always certain of its own stability, boldly offers itself to every man's search, and the more it is sifted and examined into, the more bright and effulgent will it appear."

My lord, I will read the sentiments of some of our most eminent legislators on the subject of prosecutions for the publication of opinions. On the occasion of a petition to the House of Commons, March 26, 1823, from Mary Ann Carlile, confined for publishing blasphemous works, Mr. Ricardo said, "Such prosecutions had done much mischief. Blasphemy was an offence which it was quite impossible to define; nobody, in committing it, was aware of what he was offending against—it was one thing in this country, and another thing in France; indeed, that which was blasphemy here was not blasphemy there, and vice versa. He must now inform the house, that after a long and attentive consideration of the question, he had made up his mind that *prosecutions ought never to be instituted for religious opinions.* All religious opinions, however absurd and extravagant, might be conscientiously believed by some individuals. Why, then, was one man to set up his ideas on the subject as the criterion from which no other was to be allowed to differ with impunity? Why was one man to be considered infallible, and all his fellow men as frail and erring creatures? Such a doctrine ought not to be tolerated: it savoured too much of the Inquisition to be received as genuine in a free country like England. A fair and free discussion ought to be allowed on all religious topics. If the arguments advanced upon them were incorrect and blasphemous, surely they might be put down by sound argument and good reasoning, without the intervention of force and punishment."

Sir Francis Burdett said, "*the sort of offence for which the Carliles were suffering, was not a fit object of punishment at all,* there could be no crime alleged, no *corpus delicti* stated. It was wholly matter of opinion. A legislature had only to do with the action of men, it was impossible to prevent opinions from rising in men's minds, and *it was a detestable slavery to endeavour to suppress them.* (cheers.) *There was this difficulty attaching to prosecutions for blasphemy; he defied the Attorney-General to define it.*"

On occasion of the presentation of a Petition from a society of Freethinkers in Edinburgh, April 1823.

Mr. Monk said, "he wished to know if there were any Jews in Edinburgh? He believed there were. Now Jews were decidedly more hostile to Christianity than were those philosophers who fell under the displeasure of the learned lord. The philosophers fairly discussed important and interesting questions—they did not form a party for no two of them perhaps agreed in opinion; but the Jews to a man ridiculed and derided the Christian religion; he did not see why the philosophers should be treated with greater severity than Jews."

Again, on occasion of a petition to the House of Commons, June 2nd. 1825, from Richard Carlile and four of his shopmen, Mr. Brougham said, "He thought the law ought not to press too heavily upon them, because they appeared to be, in a certain degree, enthusiasts and fanatics; and toleration as well as expediency required that they should not be subjected to that degree of punishment which would entitle them to be considered, either by themselves or by others, as martyrs to the principles, such as they were, that they professed. If they had taken a bad way to attack the religion of the country, it was incumbent upon us not to take a bad way to defend it, and the worst of all possible ways would be to inflict severer punishment than their offences required. Having thus endeavoured to guard himself against misconstruction, he would say that he could conceive no harm as likely to accrue to religion from fair and free discussion: and that until the mode of discussion became so offensive as to excite against it the feelings of almost every man in the country, prosecution for blasphemy were among the very worst methods of defending religion; that was his deliberate and sincere opinion, and he could hardly conceive any instance in which toleration could be carried too far."

Mr. Peel said, "he concurred with Mr. Brougham, that prosecution on the score of religious opinion should not be instituted, so long as those opinions were expressed in fair and temperate language."

Sir F. Burdett contended, "that upon the principles laid down by his learned friend below him (Mr. Brougham) and agreed to by the right Honorable Secretary opposite (Mr. Peel), all prosecutions for religious opinions were inexpedient; it was agreed on all hands that religious opinions ought to be tolerated so long as they were expressed in temperate language; but it was now argued that as soon as those opinions were so expressed as to disgust every honest mind, then they ought to be visited with punishment. It appeared to him that under such circumstances they ought not to be noticed, because if they were so poisonous as was represented, they carried along with them their own antidote. It was his opinion, that if Mr. Carlile had been left to himself, and had not been prosecuted by the government, he would have at this moment been totally unheard of; whereas by prosecuting him, the government had given him a notority which he could not have otherwise acquired, and had got themselves into a scrape from which they found some difficulty in getting extricated. He thought that the infliction of great severity on any man for his opinion, no matter how offensive they might be, was the most certain way not to wean him from, but to confirm him in, those obnoxious opinions."

Mr. Brougham, in moving that the petition be printed, said, "that he would take that opportunity of stating a fact which he had forgotten to state in presenting the petition, so far was the punishment inflicted on these petitioners from having put down publications of this obnoxious character, that if he was rightly informed, they were sold openly in all parts of the town, there was not a day or night in which you could not purchase any of those objectionable works, so that the object had quite failed of suppressing them. And what was the use of an argument on religion if it were to be all on one side? Nothing thrives under persecution but error, and it was most unjust whilst the subtile poison which was to be found in Gibbon was left unpunished, although it was on the shelves of all the noblemen and gentlemen, that the poor man should be sent to prison. It had been said that if the discus-

sion of religious truths were calmly conducted, it ought to be permitted. A wonderful admission truly! Why, where would be the use of the discussion of religion, if the argument was to be all on one side?" He then pointed out the glaring inconsistency of denying to the poor the right of reading any discussion upon the truths of Christianity, and of allowing to the rich the privilege of having in their libraries the works of Gibbon, and all such writers. "If these publications were as they were said to be, calm argumentative works, they ought to be, as they now in fact were, sold in the open light of day everywhere, these poor men had only sentiments similar to those of Hume and Gibbon, for which no one would think of prosecuting Cadell and Davis, Millar, or Murray.

Mr. Hume "wished the right honourable secretary (Mr. Peel) would answer him one question. Was not this country the only country in Europe where individuals were at present imprisoned for religious opinions? He recollected the time when the country was filled with gladness and rejoicings because the Inquisition was abolished in every country in Europe; but if our prisons continued to be filled as they were at present, with individuals suffering for religious opinions, England would succeed to the vacant post of Inquisitor-General for Europe, than which he could conceive nothing more derogatory to its interests and honour."

Mr. Brougham spoke again, and said, "without again alluding to Gibbon, who, no doubt, was on his learned friend's shelves, neatly bound, though they might not shake his orthodox mind, he would remind the house that every bookseller was selling the works of Voltaire without the slightest apprehension, though no man ever wrote on the subject of religion with more scorn or ribaldry; and as it was clear a man might write a libel, or publish one in French as well as in English, he asked, was it not highly improper that the ladies and gentlemen of the west-end of the town, who read French should be liable to be contaminated by such dangerous poison as that of Voltaire. He repeated, that such works as those for the publication of which the present petitioners were prosecuted, were not so dangerous as many that remained unnoticed, The combined argument and wit of Gibbon, and the combined subtlety and wit of Hume, had not drawn upon them the vengeance of the established authorities. The work in question was by no means so full of ribaldry as the works of Voltaire; yet the works of Voltaire were in the libraries of every lady and gentleman in the west-end of the town."

My lord, with regard again to style, "priests of all persuasions," says Golsdmith, "are enemies to ridicule, because they know it to be a most formidable antagonist to fanaticism, and preach up gravity to conceal their own shallowness of importance, it has ever been the most powerful enemy to enthusiaism and priestcraft, and is the only method of opposing them with success." However, my lord, some priests are not afraid of ridicule; I have already instanced Bishop Warburton, and there are others, Dr. Lardner, the great christian evidence writer, in a letter to a Bishop of Chester, says, "the proper punishment for a low, mean, indecent, scurrilous way of writing, seems to be neglect, contempt, scorn, and general indignation. And if we leave all further punishment to him to whom vengeance belongs, I have thought it might be much for the honour of ourselves and our religion."

The Bishop of London in his charge to the clergy of his diocese in July 1822, said "I am indeed fully persuaded that the extravagances of frantic

infidelity are means in the hands of providence for the promotion of virtue and truth, by provoking discussions which lead to the dispersion of error." With regard to what is called the law of the land, on the subject I might adduce many authorities from which it would appear that the only objection is the style in which opinions are couched. But I contend that there is little or nothing in the style of the publications that I have dealt in, but what might reasonably be expected from an author impugning the popular opinions, and not to be found fault with, except by fastidious persons.

A great outcry is made against the principles and morals of infidels, but it would be well to examine their maxims and conduct, and from that I sincerely believe they have generally little to fear; I know many infidels to whose honour I would trust all that I hold dear. I will read a few lines from a leading infidel, one whom a Christian would call an ultra infidel:—

Sheriff.—Who?

Finlay.—Helvetius, my lord, "Let humanity interest you in the fate of your fellow creature, consider that like him you may one day be miserable, dry up the tears of distressed virtue and injured innocence. Let the mild fervour of friendship, the esteem of a loved companion, make thee forget the pains of life."

"Be just, since equity supports the human race; be good, as bounty attaches every heart; be indulgent, since thou livest among beings weak like thyself; be modest, as pride hurts the self-love of every human being. Pardon injuries, as vengeance eternises hatred. Do good to him who injures thee, that thou mayest shew thyself greater than he, and also gain his friendship. Be moderate, temperate, and chaste, since voluptuousness, intemperance, and excess, destroy thy being and render thee contemptible."

"It is I, (we may suppose Nature to say) who punisheth the crimes of this world. The wicked may escape human laws but mine they can never fly from. Abandon thyself to intemperance and man will not punish thee, but I will punish thee, by shortening thy existence. If addicted to vice thou wilt perish under thy fatal habits. Princes, whose power surpasseth human laws tremble under mine, I punish them by infusing suspicion and terror into their minds. Look into the hearts of those criminals whose smiling countenances conceal an anguished soul. See the covetous miser, haggard and emaciated groaning under wealth, acquired by the sacrifice of himself; view the gay voluptuary secretly writhing under a broken constitution; see the mutual hatred and contempt which subsist between the adulterous pair! The liar deprived of all confidence—the icy heart of ingratitude, which no act of kindness can dissolve—the iron soul of the monster whom the sight of misfortune could never soften. The vindictive nourished in his bosom the gnawing vipers which are consuming him! Envy, if thou darest, the sleep of the murderer, the iniquitious judge or the oppressor, whose couches are surrounded by the torch of the furies; but no! humanity obliges thee to partake of their merited torments. Comparing thyself with them and finding thy bosom the constant abode of peace, thou wilt find a subject of self-congratulation. Finally, behold the decree of destiny fulfilled on all, she wills that virtue shall never go unrewarded, but crime be ever its own punishment."

My lord, I think it unnecessary to say much more on the subject after the high authorities I have brought under your notice, I leave the matter to your own consideration.

The Sheriff rose and addressing Mr. Finlay, said, "You have made a very excellent and judicious defence, and I am sorry I cannot give you the benefit of it."

Mr. Macara again rose aud attempted to speak in mitigation of punishment, and during the discussion between him and the sheriff, Mr. Finlay begged to be allowed to read a few lines which he had intended to read in the course of his defence.

The Sheriff mildly reminded him that as his defence was closed, the time was gone by for that, however, he was indulged in reading the following to show how judges and jurymen were in the habit of dealing with absurd and too severe laws.

In the month of January, 1819, a petition was presented to the House of Commons from the Lord Mayor, Aldermen and Common Council of the City of London, in which after alluding to the accurate knowledge, their peculiar circumstance enabled them to possess, and the deep interest they took in the administration of justice, they said, "That some *jurymen submit to be fined* rather than act as arbiters of life and death, in cases where they think the punishment of death ought not to be inflicted. That some *jurymen are deterred from a strict discharge of their duty*, and acquit or mitigate the offence, so as not to subject the offender to the punishment of death, and thus assume a discretion never intended to be vested in juries and relax the sanctity of a judicial oath, upon the integrity of which the trial by jury much depends. *That this determination of juries to oppose the severe enactment of the law, is of daily occurrence*, that among other instances a jury *rather than be instrumental in inflicting the punishment of death* for larceny to the amount of forty shilling from a dwelling house, found a ten pound note to be worth only thirty-nine shillings. That another jury, influenced by the same motives, *found two bills of exchange, value ten pounds each, and eight Bank notes, value ten pound each, to be worth altogether only thirty-nine shillings.* That *the judges* are influenced by the same feelings and *exert their ingenuity in discovering means by which the real value of property shall not be found by the jury.* That these (and other enumerated) evasion of the law are extremely dangerous to the community, but as they are produced by the certain and general principles of our nature, they must continue to increase until the law be altered.

Mr. Finlay was proceeding to read a verse from the Bible, but was refused unless it bore on the mitigation of punishment, he said he thought it certainly did so, and handed the following to the Procurator-Fiscal.

"For if he that cometh preacheth another Jesus, whom we have not preached, or *if* ye receive another spirit which ye have not received, or another gospel which ye have not accepted, ye might well bear with *him.*" 2 Cor. 11 chap., 4.

The Fiscal read it and said, "Man *we have nothing to do with that*, it is the law of the land that we have to do with."

Mr. Finlay remarked that the consideration that the laws of the land standing on such a narrow basis with regard to popular sanction, should lead to their being administered with a generous or lenient hand.

The Sheriff then sentenced him to a fine of ten pounds or sixty days imprisonment; but Mr. Finlay prefered the latter, and after shaking hands with three of his sons, and a number of friends in court, was conveyed to the Calton Jail.

THE TRIAL OF MISS MATILDA ROALFE.

THIS case is illustrative of the truth, that when persecution is employed against the conscientious and determined, it becomes the finest auxiliary of proselytism. No sooner were Mr. Finlay and his son-in-law imprisoned, by the procurator-fiscal than Mr. Paterson (who is a native of Scotland) returned to his own country, and stepped into the places of the imprisoned, not only to sell what they sold, but to sell books which they had no intention of selling. When the procurator gutted *his* premises, the walls were covered with placards, in characters that they who run might read of Christianity's doings, and young and old were enabled to learn what without the fiscal's friendly aid, would have required years of silent labour to have brought under their notice. Not only did the law's unwise functionaries "stretch the pewer vested in them" as the *Edinburgh Courant* boasted, but according to the *Pictorial Times* it became necessary for the police force to "stretch their jackets" in the ungracious and undignified office of washing placards from the walls. The efforts of these officials were either defeated or rendered most arduous by persons taking the precaution of *gluing* the obnoxious papers in every conspicuous place. As fast as one set of bill-stickers were apprehended, another volunteered their services, and nightly bands perambulated the City of Edinburgh and its suburbs. Every letter box was favoured with a special inclosure for the better information of its owner.

On the apprehension of Mr. M'Neile of Campsie, at the instance of the Rev. Mr. Lee, Messrs. Paterson, Jeffery and Budge, issued from Glasgow and invaded the districts of the Rev. bigot, sold papers, posted placards and delivered addresses to the inhabitants. Atheism, unadulterated and undisguised, was diffused into every corner of the land, and the bold voice of the conscientious unbeliever was heard in remote districts where scepticism had probably never before penetrated. The press was forced to discuss the subject and Mr. Southwell was invited from England to expound the startling tenets of Atheism, which his talents, enthusiasm and imprisonment, had first brought into general notice.

This ardour and agitation only acquired fresh resolution from the barbarous sentence passed on Mr. Paterson, and the disappointed rage which was reeked on Mr. Finlay. It was now known that Mr. Paterson was shut up in solitary confinement, and treated with that severity which if not intended, will probably, as it has in too many instances, produce insanity. It was under these circumstances that Miss Roalfe, with more than woman's usual courage left London to oppose, as far as lay in her power, that religious tyranny to which it is no less a duty than a glory to offer resistance.

Immediately on her arrival in Scotland, she entered upon the superintendence of the "Atheistical depot, 105, Nicolson Street, and soon after circulated a Manifesto addressed to the public of Edinburgh, setting forth her determination to sell such books as contained sentiments she deemed useful to be known, "whether they did or did not bring into contempt the Holy Scriptures and the Christian religion." The Manifesto concluded by announcing for sale a list of all the prosecuted works; taking special care to notify that "country orders were punctually attended to." Just as Mr. Paterson when he announced a collection of the obscene passages of the Holy Bible, informed the public that he made "a liberal allowance to Sunday Schools."

In a few day after the sentence on Mr. Finlay, the procurator-fiscal with a number of officers, like an inquisitor with his familiars, entered Miss Roalfe's shop, rudely turned over every article in her private dwelling, carried away a considerable portion of her stock and conveyed her to the sheriff's office for examination.

Of Miss Roalfe's treatment immediately on her apprehension she thus writes:—

"When committed to prison I was put into a wretched stone cell, and after waiting in vain for my dismissal I was told by the turnkey that the lights were about to be extinguished and that I had better go to bed, as there was very little chance that I should leave that night. But on preparing for rest guess my surprise and disgust, on discovering my bed covered with *vermin!* I instantly made an alarm and insisted on being removed into another cell, which was accordingly done. I stated that I should make a complaint, but as the turnkey was particularly civil I said no more about it. Since my return home however I have had considerable difficulty in freeing myself from the impurities of that place."

"On my liberation on bail, I found my home, as you may well suppose, in a wretched state of disorder on my return from prison. It took the greater part of yesterday to restore it to anything like a degree of comfort. Next I had the shop filled with persons who called to see me, some prompted by regard, and others by curiosity, and last though not least, the house was surrounded by a riotous mob, whose hissings and hootings at times almost stunned me. Never did I witness such a scene as took place the night of my liberation; the moment it was ascertained that I was at home, a crowd began to assemble, and in about half an hour some hundreds of persons had collected, and before ten o'clock their conduct baffled all description. If you can imagine an *Indian war-whoop* then you may form ome idea of the yells of these disciples of the meek and lowly Jesus.—Several of the committe of the Anti-P. U. were at my house, some of whom attempted to put up the shutters; but part were seized by the mob, and others were struck; one young man in particular was struck by a medical student on the head with his stick, which cut it open. At last with the assistance of a number of the police, we succeeded in dispersing the mob. I fear, however, that I shall experience considerable annoyance for some time to come, as I am blessed with a neighbour who is a Methodist local preacher, and who is the principle actor in the scene."

Miss Roalfe's trial took place in the sheriff's court on Tuesday, January 23rd 1844. At an early hour every part was crammed to suffocation.

Sheriff Tait on the bench.

The indictment having been read, the defendant was asked if she was guilty.

Miss Roalfe.—Not guilty.

Did you vend the books spoken of.

Miss Roalfe.—I did sell them, but am not guilty of doing so with a wicked and felonious intent, I am quite satisfied that the quotations made from the books, may be borne out by reference to the Bible.

Sheriff Tait.—In vending them you are guilty of breaking the law.

Miss Roalfe.—I have read the books bought, and I do not see anything in them that I am not prepared to defend, I do not think that such works are calculated to demoralize the readers of them.

John Buchanan and Abjah Murray were called to prove going to 105, Nicolson Street, on the 11th December last. Campbell the sheriff's officer, proved going to Nicolson Street, saw the defendant there, was in the shop and back room for two hours, took possession of all he considered Blasphemous, Abjah Murray was with him.

William Murray.—I recollect going to a shop in Nicolson-street, last November, on Saturday, November 18th. Abijah Murray and James M'Levie went with me; Abijah Murray went in first, I stood and looked in at the door saw the defendant there and no one else, saw her hand Abijah Murray two books he had purchased. Went back to the shop again, in a few minutes after, the same day, and made another purchase of "A Home Thrust at the Atrocious Trinity." I had some conversation with the defendant when I was in the shop the second time; I said, you have got a fine shop now. She replied—yes it is when put to rights. I told her I thought she would be in a better situation in Register-street, I thought she would sell more.

Cross examined by Miss Roalfe.—How do you get your living?—I am a police officer; I suppose you know that. Did you come to my shop on your own account or were you sent?—I was sent. Who sent you?—I decline answering that question. Miss Roalfe, I insist upon knowing who sent you, it is important to my defence?—I don't know that I may tell you. The witness then addressed sheriff Tait to know if he should tell who sent him. Certainly, was the reply, Mr. Scott sent me, said the witness. Miss Roalfe: Who is Mr. Scott?—The procurator fiscal. Here a strong feeling of disapprobation was manifested. Sheriff Tait said he did not sit there to here approbation or disapprobation, and if it was continued he would have the court cleared immediately. Defendant to the witness, so you were mean enough to come to my shop, knowing I should be imprisoned for it were you?—I had nothing to do with that. Did you know the nature of the book before you bought it?—No. Then you had not read it?—No. Were you given to understand what you were sent for?—No. Where do you say you purchased the book?—Of you in Nicolson-street.

James M'Levie.—I am a criminal officer, William and Abijah Murray went with me to 105, Nicolson-street, and bought *Oracle of Reason*, 91 and 94. Abijah went in a second time and bought "A Home Thrust at the Atrocious Trinity;" saw him buy it, he showed it to me, I went in to buy 91 *Oracle of Reason*, she sold it me, I wanted 93, she had not got it. I showed it to the others.

Cross examined by Miss Roalfe.—Did you get 93 *Oracle of Reason*?—No, you said you would get it for me. Did you ever see me before you saw me in Nicolson-street?—Yes, I saw you once in Register-street. What did you go to Register-street for?—I went there to see some one else. Who was it?—He is not here now. Miss Roalfe, but who was it?—It was Paterson. Did you purchase anything of me in Register-street;—I don't remember. Are you quite sure you did not purchase anything of me there?—I think I did buy something?—What was it. I don't remember, I should have need of a good memory to recollect I think. Yes, I think you would require a better one than you have. Do you know the nature of it?—Oh, it was something similar to what lies here, pointing to some of the numbers of the *Oracle of Reason*. Did you read the books?—Yes I did read some of them. What effect did it have upon your mind?—Here the witness appeared thoroughly bewildered, first looking at the sheriff then at the advocate, and at last said—It had no effect upon me. Miss Roalfe.—Are you quite sure?—Yes, it had not the least effect upon me. Are you the less moral in consequence of having read them?—This question seemed to puzzle the witness more than the other, and after being asked several times for an answer, he said—no, I do not consider I am the less moral. (*laughter.*)

Abijah Murray examined.—I went to the shop on the 7th December, with John Colquhoun for to purchase some books; John Colquhoun bought "the Bible an Improper Book for Youth, and Dangerous to the Easily-excited brain," and the "Trinity of Trinities;" went again with Campbell the sheriff's clerk, and saw him seize some books and papers on the 11th December.

Cross examined by Miss Roalfe.—Did you read the books you bought?—No. Were you sent to my shop?—Yes. Who sent you?—The procurator-fiscal. Had you any instructions?—No, only to buy. You say you did not read them?—No, only just glanced over them, I stood at the door while you served William Murray and James M'Levie, I don't know where you took the books from; 7th December I was with John Colquhoun. What made you purchase the books you did?—I was told to purchase them.

John Colquhoun examined.—I went with Abjah Murray to the shop in Nicolson Street, saw the defendant there on the 7th December, Murray stood at the door, she came from the back room, I bought the Bible an Improper Book for Youth, &c., and Trinity of Trinities, paid 6d., showed to books to Murray.

Cross examined by Miss Roalfe.—I was sent in by Abijah Murray, I did not read them. Did you know the nature of the books?—I understood they contained something blasphemous. What do you consider blasphemy?—I never read any blasphemy in my life.

Mr. Brown, advocate, was heard on the part of the prosecutor. He contended the case was fully proved, there could be no discussion in a case of this kind, the purchase of the books from the defendant had been fully proved. The criminality of selling them had been settled in the High Court of Justiciary. The indictment comprised six different complaints. The witnesses were criminal officers who had received instructions and that most properly. Their being criminal officers could not in the least invalidate their evidence. That they were sold with a wicked and felonious